

134
9/112

भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1]
No. 1]

नई दिल्ली, शनिवार, जनवरी 5, 1974/पौष 15, 1895
NEW DELHI, SATURDAY, JANUARY 5, 1974/PAUSA 15, 1895

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

मंत्रिमण्डल सचिवालय
(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 21 दिसम्बर, 1973

का. आ. 1.—जांच आयोग अधिनियम, 1952 (1952 का 60)
की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार,
भारत के राजपत्र—असाधारण—भाग 2—खण्ड 3—उपखण्ड (2), में
प्रकाशित, भारत सरकार, मंत्रिमण्डल सचिवालय (कार्मिक विभाग)
की अधिसूचना संख्या 375/31/71-एचडी-3 (का. आ. 3863),
दिनांक 16 अक्टूबर, 1971 में एतद्वारा निम्नीलिखित और
संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 2 में, "31 दिसम्बर, 1973 तक"
शब्दों, अंकों और अक्षरों के स्थान पर "31 मार्च, 1974
तक" शब्द, अंक और अक्षर प्रतिस्थापित किए जाएंगे।

[संख्या 381/21/71-एचडी-3]

आर. सी. मिश्र, संयुक्त सचिव

CABINET SECRETARIAT

(Department of Personnel & Administrative Reforms)

New Delhi, the 21st December, 1973

S.O. 1.—In exercise of the powers conferred by :
3 of the Commissions of Inquiry Act, 1952 (60 of
the Central Government hereby makes the following
amendment in the notification of the Government o
in the Cabinet Secretariat (Department of Personn
375/31/71-AVD. III (S.O. 3863), dated the 16th (1971, published in the Gazette of India, Extraordina
II, Section 3, Sub-section (ii), dated the 16th Octob
namely :—

In paragraph 2 of the said notification, for th
figures and letters "by the 31st Decemb
the words, figures and letters "by the 31
1974" shall be substituted.

[No. 381/21/71

R. C. MISRA,

(1)

भारत निर्वाचन आयोग

आवृत्ति

नई दिल्ली, 24 नवम्बर, 1973

क्र. आ. 2.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए राजस्थान विधान सभा के लिए साधारण निर्वाचन के लिए 111-गंगार निवाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री देवीलाल, सोनिया, डा. सोनिया जिला चित्तौड़गढ़ राजस्थान लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री देवीलाल को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवृत्ति की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं. राज. वि. स./111/72(16)]

बी. एन. भारद्वाज, सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 24th November, 1973

S.O. 2.—Whereas the Election Commission is satisfied that Shri Devi Lal, Soniyana, P. O. Soniyana, Distt. Chittorgarh, Rajasthan a contesting candidate for General Elections to the Rajasthan Legislative Assembly held in March, 1972 from 111-Gangar constituency has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Devi Lal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. RJ-LA/111/72 (16)]

B. N. BHARDWAJ, Secy.

आवृत्ति

नई दिल्ली, 24 नवम्बर, 1973

आ. 3.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 48-सुलतानपुर निवाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री मजीर सिंह, ग्राम अल्लादाद चक, पो. आ. सुलतानपुर, हल्थला (पंजाब), लोक प्रतिनिधित्व अधिनियम, 1951

तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री मजीर सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवृत्ति की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं. पंजाब वि. स./48/72(23)]

ORDER

New Delhi, the 24th November, 1973

S.O. 3.—Whereas the Election Commission is satisfied that Shri Nazir Singh, Village Alladad Chak, P.O. Sultanpur, District Kapurthala (Punjab) a contesting candidate for the general election to the Punjab Legislative Assembly from 48-Sultanpur constituency, held in March, 1972 has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for the failure.

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declare the said Shri Nazir Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/48/72 (23)]

आवृत्ति

नई दिल्ली, 29 नवम्बर, 1973

क्र. आ. 4.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1971 में हुए तमिलनाडु विधान सभा के लिए निर्वाचन के लिए 104-वालपराई (अ. जा.) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री एन. राजी., सं. 2 खण्ड, लोवर वाटर फाल इस्टेट, अटाकट्टी पोस्ट, वालपराई, जिला कायम्बटूर (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित समय के अन्दर तथा रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एन. राजी. को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवृत्ति की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं. त. ना. वि. स./109/71 (70)]

ORDER

New Delhi, the 29th November, 1973

S.O. 4.—Whereas the Election Commission is satisfied that Shri N. Raji, No. II Division, Lower Water Fall Estate, Attakatti post, Valparai, Coimbatore Distt. (Tamil Nadu), a contesting candidate for the General election held in March, 1971 to the Tamil Nadu Legislative Assembly from 109 Valparai (SC) constituency, has failed to lodge an account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri N. Raji to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/109/71 (70)]

आदेश

नई दिल्ली, 6 दिसम्बर, 1973

का. आ. 5.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए आंध्र प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 136-सत्यवेदु (अ. जा.) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार डा. सुन्दरव्या नागालापूरम, सत्यवेदु तालुक, आंध्र प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात्, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त डा. सुन्दरव्या को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और हाने के लिए इस आदेश की सारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं आ. प्र.नि.व.स./136/72]

वी. नागसुब्रमण्यन, सचिव

ORDER

New Delhi, the 6th December, 1973

S.O. 5.—Whereas the Election Commission is satisfied that Dr. Sundariah Nagalapuram, Satyavedu Taluk, Andhra Pradesh, a contesting candidate for the general election held in March, 1972 to the Andhra Pradesh Legislative Assembly from 136-Satyavedu (SC) constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said

Dr. Sundariah to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/136/72]

V. NAGASUBRAMANIAN, Secy.

विधि, न्याय और कम्पनी कार्य मंत्रालय
(कम्पनी कार्य विभाग)

नई दिल्ली, 24 दिसम्बर, 1973

का. आ. 6.—एकाधिकार एवं निबन्धनकारी व्यापार प्रथा अधिनियम, 1969, (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में केन्द्रीय सरकार एतद्वारा मैसर्स दि मेट्टूर केमिकल एण्ड इन्ड्रीस्ट्रियल कार्पोरेशन लि. के अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 80/1970 दिनांक 19 अक्टूबर, 1970) के निरस्तकरण को अधिसूचित करती है।

[संख्या 22/13/71-म-2]

ए. के. घोष, अवर सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Department of Company Affairs)

New Delhi, the 24th December, 1973

S.O. 6.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of registration of M/s. Mettur Chemical & Industrial Corporation Limited under the said Act (Certificate of registration No. 80/1970 dated the 19th October, 1970).

[No. 22/13/71-M (II)]

A. K. GHOSH, Under Secy.

गृह मंत्रालय

नई दिल्ली, 22 दिसम्बर, 1973

का० आ० 7.—यतः केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा करना आवश्यक है;

अतः, अब, केन्द्रीय विपणन अधिनियम, 1956 (1956 का 74) की धारा 8 की उपधारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निवेश वेतो है कि इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से अन्तर्राष्ट्रिय व्यापार या वाणिज्य के प्रयुक्त में अन्तर्राष्ट्रिय अर्थशुल्क ऊष्णकटिबंध फसल अनुसंधान संस्थान को किए गए माल के सभी विक्रयों की बाबत में कोई कर ऐसे व्यावहारिक द्वारा, जिसके कारखाने का स्थान दिल्ली में या राज्यक्षेत्र में हो, उक्त अधिनियम के अधीन हम करने के प्रयोजन देय नहीं होगा कि प्रत्येक ऐसा व्यावहारिक, प्रत्येक ऐसे विक्रय की बाबत, अन्तर्राष्ट्रिय अर्थशुल्क ऊष्णकटिबंध फसल अनुसंधान संस्थान द्वारा इस प्रकार प्राधिकृत किसी व्यक्ति द्वारा हमने उपाबद्ध प्रमाण में मन्थक रूप से भरा हुआ और हस्ताक्षरित प्रमाणपत्र, माग किए जाने पर, निर्धारण-प्राधिकारों के समक्ष पेश करे।

उपाबन्ध

प्रमाण-पत्र

प्रमाणित किया जाता है कि निम्नलिखित मान का, —————के व्यावहारिक —————द्वारा, जिसके कारखाने का स्थान दिल्ली में

राज्य क्षेत्र में _____ में है, अन्तर्राष्ट्रीय अर्थगुप्त ऊष्णकटि-
बन्धन फसल अनुसंधान संस्थान के लिए _____ को, तारीख
_____ को, विक्रय/प्रदाय किया गया था।

माल का वर्णन।

स्थान- _____ हस्ताक्षर _____
तारीख- _____ पदाभिधान _____

[सं० यू०-15034/19/73-दिल्ली]

जी० के० भनोत, मयुक्त सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 22nd Dec., 1973

S.O. 7.—Whereas the Central Government is satisfied that it is necessary in the public interest so to do;

Now therefore, in exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby directs that with effect from the date of publication of this notification in the Official Gazette, no tax shall be payable under the said Act by a dealer having his place of business in the Union Territory of Delhi, in respect of all sales of goods made in the course of inter-State trade or commerce, to the International Crops Research Institute for the Semi-Arid Tropics, subject to the condition that every such dealer, shall, on demand, produce before the assessing authority, in respect of every such sale a certificate in the form annexed hereto duly filled in and signed by a person so authorised by the International Crops Research Institute for the Semi-Arid Tropics.

Annexure

CERTIFICATE

Certified that the following goods were sold/supplied to _____ for the International Crops Research Institute for the Semi-Arid, Tropics on _____ by _____ dealer in having his place of business at _____ in the Union territory of Delhi.

Description of goods.

Place _____ Signature _____
Date _____ Designation _____

[No. U-15034/19/73-Delhi]

G.K. BHANOT, Joint Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 20 दिसम्बर, 1973

शुद्धि-पत्र

का. आ. 8.—भारत के राजपत्र, असाधारण, भाग 2, खण्ड 3, उपखण्ड (2) तारीख 27 दिसम्बर, 1972 के पृष्ठ 2070 से 2080/3 पर प्रकाशित, स्वर्ण नियंत्रण (प्ररूप, फीस और प्रकीर्ण विषय) संशोधन नियम, 1972 से संबंधित भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना सं. का. आ. 765(ई), तारीख 27 दिसम्बर, 1972 में, पृष्ठ 2080 पर, प्ररूप सं. जी. एस. 8-क में, "भारत से बाहर के व्यक्तियों को और विदेशी पर्यटकों को विक्रय के लिए" शीर्षक के स्थान पर "भारत से बाहर के व्यक्तियों को विक्रय के लिए" पढ़िए।

[सं. फा. 131/6/72-जी.सी. 2]

एम. ए. रंगास्वामी, स्वर्ण नियंत्रण प्रशासक और संयुक्त सचिव

MINISTRY OF FINANCE (Department of Revenue & Insurance)

New Delhi, the 20th December, 1973

CORRIGENDUM

S.O. 8.—In the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S.O. 765(E), dated the 27th December, 1972, relating to the Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1972, published at pages 2072—2076 of the Gazette of India Extraordinary, Part II—Section 3—Sub-section (ii), dated the 27th December, 1972, at page 2075, in Form No. G.S. 8-A, for the heading "For sales to persons outside India and to foreign tourists" read "For sales to persons outside India."

[No. F. 131/6/72-GC. II]

M. A. RANGASWAMY, Gold Control Administrator and
Joint Secretary

नई दिल्ली, 8 नवम्बर, 1973

आय-कर

का. आ. 9.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि नीचे उल्लिखित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद्, विहित प्राधिकारी द्वारा आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए अनुमोदित किया गया है।

यह अधिसूचना 1 अप्रैल, 1973 से प्रभावी होगी।

संस्था

प्रोटीन फूड्स एण्ड न्यूट्रिशन डेवलपमेंट एसोसिएशन आफ इन्डिया, मुम्बई।

[सं. 494 (फा. सं. 203/38/73-आई टी ए 2)]

New Delhi, the 8th November, 1973

INCOME TAX

S.O. 9.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

This notification shall take effect from 1st April, 1973.

INSTITUTION

Protein Foods and Nutrition Development Association of India, Bombay.

[No. 494 (F. No. 203/38/73-ITA. II)]

नई दिल्ली, 13 नवम्बर, 1973

आय-कर

का. आ. 10.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि नीचे उल्लिखित संस्था को भारतीय चिकित्सा अनुसंधान परिषद्, विहित प्राधिकारी, द्वारा आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए अनुमोदित किया गया है।

संस्था

इन्डियन अकादमी आफ पीडियाट्रिक्स, मुम्बई।

यह अधिसूचना 1 अप्रैल, 1973 से प्रभावी होगी।

[सं. 498 (फा. सं. 203/61/73-आई टी ए 2)]

New Delhi, the 13th November, 1973

INCOME TAX

S.O. 10.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

INSTITUTION**INDIAN ACADEMY OF PEDIATRICS, BOMBAY**

This notification takes effect from 1st April, 1973.

[No. 498(F. No. 203/61/73-ITA. II)]

नई दिल्ली, 1 दिसम्बर, 1973

आप-कर

का. आ. 11.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि नीचे वर्णित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद्, विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (2) के प्रयोजन के लिए अनुमोदित किया गया है।

संस्था

बी. एच. एन. एस नादर कॉलेज, विरुधुनगर

यह अधिसूचना पहली अप्रैल, 1973 से प्रभावी होगी।

[सं. 509 (फा. सं. 203/5/73-आई. टी. ए. 2)]

New Delhi, the 1st December, 1973

INCOME TAX

S.O. 11.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

INSTITUTION**V.H.N.S. NADAR COLLEGE, VIRUDHUNAGAR**

This notification will take effect from 1st April, 1973.

[No. 509 (F. No. 203/5/73-ITA. II)]

नई दिल्ली, 4 दिसम्बर, 1973

आप-कर

का. आ. 12.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि नीचे वर्णित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद्, विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (2) के प्रयोजन के लिए अनुमोदित किया गया है।

संस्था

पूना विश्वविद्यालय, पूना

यह अधिसूचना पहली अप्रैल, 1973 से प्रभावी होगी।

[सं. 510 फा. सं. 203/46/73-आई. टी. ए. 2]

टी. पी. ज़ुनज़ुनवाला, उप सचिव

New Delhi, the 4th December, 1973

INCOME TAX

S.O. 12.—It is hereby notified for general information that the institution mentioned below has been approved by

Council of Scientific and Industrial Research, the prescribed authority for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

INSTITUTION**UNIVERSITY OF POONA, POONA**

The notification takes effect from 1st April, 1973.

[No. 510 (F. No. 203/46/73-ITA. II)]

T. P. JHUNJHUNWALA, Dy. Secy.

नई दिल्ली, 27 नवम्बर, 1973

आप-कर

का. आ. 13.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड 44 के उपखण्ड (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार सर्वश्री डी. वी. धार्मिक और विनोद कुमार को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारियों की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना तुरन्त प्रवृत्त होगी।

[सं. 502 (फा. सं. 404/319/73-आई. टी. सी. सी.)]

एम एन. गम्बियार, अवर सचिव

New Delhi, the 27th November, 1973

INCOME TAX

S.O. 13.—In exercise of the powers conferred by sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises: S/Shri D. V. Dharmik and Vinod Kumar who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification shall come into force with immediate effect.

[No. 502 (F. No. 404/319/73-ITCC)]

M. N. NAMBIAR, Under Secy.

प्रादेश

नई दिल्ली, 5 जनवरी, 1974

स्टाम्प

का० प्रा० 14.—केन्द्रीय सरकार, भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उन शुल्क में छूट देने हैं, जो हिमाचल प्रदेश वित्तीय निगम द्वारा जारी किए जाने वाले चालीस लाख रुपये मूल्य के वंधपत्रों पर उक्त अधिनियम के अधीन प्रसार्य हैं।

[सं० 1/74-स्टाम्प/का० सं० 471/80/73-सी० शु० 7]

जे० रामकृष्णन, अवर सचिव

ORDER

New Delhi, the 5th January, 1974

Stamp

S.O. 14.—In exercise of the powers conferred by clause (a) of sub-section (i) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds to the value of forty lac of rupees, to be issued by the Himachal Pradesh Financial Corporation, are chargeable under the said Act.

[No. 17/4-Stamp/F. No. 471/80/73-Cus. VII]

J. RAMAKRISHNAN, Under Secy.

आप-कर
नई दिल्ली

(Department of Expenditure)

New Delhi, the 22nd December, 1973

S.O. 15.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and of all other powers enabling him in this behalf, the President after consultation with the Comptroller and Auditor General of India in respect of persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1. (1) These rules may be called the Contributory Provident Fund (India) Fifth Amendment Rules, 1973.

(2) They shall come into force on the date of their publication in the official Gazette.

2. In the Contributory Provident Fund Rules (India), 1962, in clause (c) of sub-rule (1) of rule 13, for the word "marriages" the words "betrothals or marriages" shall be substituted.

[No. F. 32(3)-EV/67-CPF]

S. S. L. MALHOTRA, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 17 अगस्त, 1973

आयकर

का० प्रा० 16.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड, समय-समय पर यथा संशोधित भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 11 मई, 1963 के पृष्ठ 1454-1457 पर का० प्रा० 1293 के रूप में प्रकाशित अपनी अधिसूचना सं० 20 (फा० सं० 55/1/62—आई टी) तारीख 30 अप्रैल, 1963 से संलग्न अनुसूची में निम्नलिखित संशोधन करता है:—

अ० सं० 6 के सामने रतम्भ (1), (2) और (3) के अन्तर्गत विद्यमान प्रविष्टियां निम्नलिखित प्रविष्टियों द्वारा प्रतिस्थापित की जाएगी:

आय-कर आयुक्त	मुख्यालय	अधिकारिता
1	2	3
6. (सेन्ट्रल) मुम्बई	मुम्बई	1. केन्द्रीय सिकिल 1 से 23, मुम्बई। 2. केन्द्रीय सिकिल, 1 से 2, अहमदाबाद।

सं० 438(फा० सं० 187/6/73—आई टी (ए आई))

वी० बी० श्रीनिवासन, धरम सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 17th August, 1973

INCOME TAX

S. O. 16.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT) dated the 30th April, 1963, published as S.O. 1293 on pages 1454-1457 of the Gazette of India, Part-II, Section 3, sub-section (ii) dated the 11th May, 1963 as amended from time to time:—

The existing entries under Columns (1), (2) and (3) against S. No. 6 shall be substituted by the following entries:

Income-tax Commissioners	Head Quarters	Jurisdiction
1	2	3
6(Central) Bombay. Bombay	1. Central Circles I to XXIII, Bombay. 2. Central Circles, I to II, Ahmedabad.	

[No. 438(F No.187/6/73-IT(AI))]

V. B. SRINIVASAN, Under Secy.

नई दिल्ली, 13 सितम्बर, 1973

का० प्रा० 17.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड, समय-समय पर यथा संशोधित, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 11 मई, 1963 के पृष्ठ 1454-1457 पर का० प्रा० 1293 के रूप में प्रकाशित अपनी अधिसूचना सं० 20 (फा० सं० 55/1/62-आई टी), तारीख 30 अप्रैल, 1963 के संलग्न अनुसूची में निम्नलिखित संशोधन करता है।

रतम्भ (1), (2) और (3) के अन्तर्गत अ० सं० 16, 17, 17क, 17ख, 17ग और 17 घ के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी:—

आय-कर आयुक्त	मुख्यालय	अधिकारिता
1	2	3
16. पश्चिमी बंगाल-1	कलकत्ता	1. कम्पनी जिला-1 2. प्रतिदाय सिकिल 3. विदेशी अनुभाग 4. जिला 3-ए 5. केन्द्रीय बेलन सिकिल 6. पश्चिमी-विनाजपुर-मालदा 7. जलपाईगुड़ी 8. मिथिगुड़ी 9. बाजिलिंग 10. कूज-बिहार 11. परियोजना सिकिल उत्तर बंगाल 12. सम्पदा-शुल्क सिकिल
17. पश्चिमी बंगाल-2	कलकत्ता	1. कम्पनी जिला 3, कलकत्ता 2. जिला 3 (1), कलकत्ता 3. हुण्डी सिकिल, कलकत्ता 4. सिनेमा सिकिल, कलकत्ता 5. परियोजना सिकिल, कलकत्ता।
17. का० पश्चिमी बंगाल-3	कलकत्ता	1. कम्पनी जिला-2, कलकत्ता 2. जिला 5 (2), कलकत्ता 3. विणेश सिकिल 3, कलकत्ता 4. रेल और प्रकीर्ण बेलन सिकिल, कलकत्ता 5. जिला 5-ए, कलकत्ता 6. अवैमान 7. आसनसोल 8. कीरभूम 9. बांकुरा 10. पुरुलिन 11. जूट सिकिल, कलकत्ता 12. जिला 7, कलकत्ता
17. ख० पश्चिमी बंगाल-4	कलकत्ता	1. कम्पनी जिला 4-कलकत्ता 2. जिला-3 (2), कलकत्ता 3. जिला-1 (2), कलकत्ता 4. जिला-4 (2), कलकत्ता 5. मुंशिवाबाद 6. नाडिया

1	2	3
17. ग० पश्चिमी बंगाल-5	कलकत्ता	1. जिला-5 (1), कलकत्ता 2. जिला-2 (2), कलकत्ता 3. जिला-4 (1), कलकत्ता 4. जिला-4 (3), कलकत्ता 5. जिला-6, कलकत्ता 6. मिर्जापुर 7. कम्पनी जिला-5, कलकत्ता
17. घ० पश्चिमी बंगाल-6	कलकत्ता	1. 24 परगना 2. विशेष सर्वेक्षा सर्किल-8, कलकत्ता 3. हुगली 4. हावड़ा 5. विशेष सर्वेक्षण सर्किल-9, कलकत्ता 6. जिला-1 (1), कलकत्ता 7. जिला-2 (1), कलकत्ता 8. विशेष सर्वेक्षण सर्किल-4, कलकत्ता 9. जिला 3(3), कलकत्ता 10. विशेष सर्वेक्षण सर्किल-2, कलकत्ता 11. न्याय सर्किल, कलकत्ता 12. कम्पनी जिला 6, कलकत्ता

यह अधिसूचना 13 सितम्बर, 1973 से प्रभावी होगी।

[सं० 471-फा० सं० 187/18/73-आई टी (ए आई)]

बी० बी० श्रीनिवासन, प्रवर सचिव

New Delhi, the 13th September, 1973

S. O. 17.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F.No. 55/1/62-IT) dated the 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India, Part II Section 3, sub-section (ii) dated the 11th May, 1963 as amended from time to time.

Existing entries under columns (1), (2) and (3) against S. Nos. 16, 17, 17A, 17B, 17C and 17D shall be substituted by the following entries :—

Income-tax Commissioners	Head Quarters	Jurisdiction
1	2	3
16. West Bengal-I.	Calcutta	1. Comp. Dist. I 2. Refund Circle 3. Foreign Section 4. District III-A 5. Central Salaries Circle 6. West Dinajpur-Malda 7. Jalpaiguri 8. Siliguri 9. Darjeeling 10. Cooch-Bihar 11. Project Circle, North Bengal 12. Estate Duty Circle

1	2	3
17. West Bengal-II	Calcutta	1. Comp. Dist. III, Calcutta 2. District III(I), Calcutta 3. Hundi Circle, Calcutta 4. Cinema Circle, Calcutta 5. Project Circle, Calcutta
17A. West Bengal-III	Calcutta	1. Comp. Dist. II, Calcutta 2. Dist. V (2), Calcutta 3. Special Circle III, Calcutta 4. Railway and Misc. Salaries Circle, Calcutta 5. Dist. V-A Calcutta 6. Burdwan 7. Asansol 8. Birbhum 9. Bankura 10. Purulia 11. Jute Circle, Calcutta 12. Dist. VII, Calcutta
17B. West Bengal-IV	Calcutta	1. Comp. Dist. IV, Calcutta 2. Dist. III (2), Calcutta 3. Dist. I (2), Calcutta 4. Dist. IV (2), Calcutta 5. Murshidabad 6. Nadia
17C. West Bengal-V	Calcutta	1. Dist. V(1), Calcutta 2. Dist. II (2), Calcutta 3. Dist. IV (1), Calcutta 4. Dist. IV (3), Calcutta 5. Dist. VI, Calcutta 6. Midnapore 7. Comp. Dist. V, Calcutta
17D. West Bengal-VI	Calcutta	1. 24 Parganas 2. Special Survey Circle-VIII, Calcutta 3. Hooghly 4. Howrah 5. Special Survey Circle-IX, Calcutta 6. Dist. I(1), Calcutta 7. Dist. II (1), Calcutta 8. Special Survey Circle-IV Calcutta 9. Dist. III (3), Calcutta 10. Special Survey Circle-II, Calcutta 11. Trust Circle, Calcutta 12. Comp. Dist. VI, Calcutta

This notification shall take effect from 13th Sept., 73.

[No. 471 (F. No. 187)/18/73-IT (AI)]

V. B. SRINIVASAN, Under Secy.

केन्द्रीय उत्पाद शुल्क सभाहर्तालय, कानपुर

कानपुर, 30 नवम्बर, 1973

का० प्रा० 18.—इस सभाहर्तालय की अधिसूचना सं० 8/69 के उ०शु० दिनांक 4-11-1969 का अधिष्ठापन करने हुए तथा के०उ०शु० नियमावली 1944 के नियम 16 के द्वितीय परन्तुक के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा नीचे दी गई अनुसूची में उन जिलों तथा/या उनके भागों को अधिस्तुत कर रहा हूँ जिनमें तम्बाकू

मिस्राने वालों को नियम 16 के अधीन अपनी तम्बाकू की उपज की घोषणा करने से छूट होगी बशर्ते कि मिस्राने वाले व्यक्ति के द्वारा मिस्राई गई तम्बाकू की मात्रा अनुसूची के स्वम्भ 3 में विनिर्दिष्ट अधिकतम मात्रा से अधिक नहीं है। मात्रा के निर्धारित सीमा से अधिक होने पर तम्बाकू मिस्राने वाले व्यक्ति के लिये यह अनिवार्य है कि वह उपयुक्त अधिकारी को वैयक्तिक रूप से या पंजीकृत पत्र द्वारा अपना व्यौरा घोषित करे। केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 16 के अधीन यह छूट बीड़ी तथा मिगरेट के विनिर्माण में प्रयोग की जाने वाली उष्ण द्वारा मिस्राई गई (फ्लूक्योर्ड) तम्बाकू तथा उष्ण द्वारा मिस्राई गई (फ्लूक्योर्ड) तम्बाकू के अतिरिक्त अन्य तम्बाकू पर लागू नहीं होगी।

कानपुर समाह्वालय में केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 16 के अधीन छूट प्राप्त राजस्व के क्षेत्राधिकार को दर्शित करने वाली अनुसूची:—

क्रम सं०	जिलो अथवा उनके भागों के नाम	छूट प्राप्त मात्रा अस्तुक्तियां किनोघामों में
1	2	3
1.	महरोनी, बलितपुर, गिरीया, मऊगानीपुर झामी जिले की मोठ तथा झांसी तहसील	40
2.	सम्पूर्ण जालौन तथा हमीरपुर जिले	40
3.	बिन्दौर को छोड़कर सम्पूर्ण कानपुर जिला	40
4.	इटावा	40
5.	आगरा	40
6.	मथुरा	40
7.	अलीगढ़	40
8.	मैनपुरी	40
9.	बुलन्दशहर	40
10.	सम्पूर्ण मेरठ जिला	40
11.	गन्धर्व मृजाफरनगर जिला	40
12.	महाराजपुर जिले में नकूर तहसील के नकूर तथा गंगोह परगने	40
13.	महाराजपुर जिले में नकूर तहसील का चिलकाना परगना	40
14.	महाराजपुर जिले के नकूर तथा गंगोह परगनों को छोड़कर नकूर तहसील	40
15.	महाराजपुर जिले की सम्पूर्ण देवबन्द तहसील	40
16.	महाराजपुर जिले की रुड़की तहसील के जवालापुर परगने को छोड़कर सम्पूर्ण रुड़की तहसील	40
17.	महाराजपुर जिले की रुड़की तहसील का जवालापुर परगना	40
18.	महाराजपुर जिले की सम्पूर्ण महाराजपुर तहसील	40
19.	एम०ओ०आर० हरद्वार में आने वाले गांव को छोड़कर देहरादून जिला	40
20.	सम्पूर्ण टिहरी गढ़वाल जिला	40
21.	सम्पूर्ण उत्तर काशी जिला	40
22.	(क) एटा जिले की तहसील कासगंज के दुल्हरा महलिट, सेहावर खास तथा सहवर गांवों को छोड़कर मिंवपुर जलायसहावर, बेन्दरिया, काजीपुर के सम्पूर्ण परगने (ख) जिला एटा तहसील एटा के पचलाना सोनारम, बिलगम, मन्तोपुर, एटा, मेरहरा के सम्पूर्ण परगने	40

1	2	3
(ग) एटा जिले की अलीगंज तहसील के मेरेठी, सोनारी दार का नगला, बरहोला गांवों को छोड़कर अलीगंज तहसील के मीरपुर का सम्पूर्ण परगना		
(घ) पश्चिमी टाउन एगिया तथा बराठी नगदक सममपुर, अल्लाहपुर, अलीपुर बाहर मुज्जवाल पुर, गंजदनद्वारा गांवों को छोड़कर अलीगंज तहसील का सम्पूर्ण पेटियाली परगना		40
(ङ) जलेश्वर खास, भा, सरानीम, तिमरुआ, तथा ऊंच गांव गांवों को छोड़कर सम्पूर्ण जलेश्वर तहसील		
23. फर्रुखाबाद जिले की छिवरामऊ तहसील के सकनपुर तथा सकरावा परगने तथा कन्नौज तहसील का परगना तिरवां		40
24. फर्रुखाबाद जिले में फतेहगढ़ एम०ओ०आर०-1 के गंगापुर का सम्पूर्ण क्षेत्र		40

[अधिसूचना सं० 10/73 के०उ०शु—०९३ सं. v(i) 85—

लेखा परीक्षा-73—II/56334]

CENTRAL EXCISE COLLECTORATE, KANPUR

Kanpur, the 30th November, 1973

S.O.18.--In supersession of Central Excise Collectorate, Kanpur Notification No. 8/69-CE dated 4/11/1969 and in exercise of the powers conferred on me under second proviso to rule 16 of Central Excise Rules, 1944, I, hereby, notify in the schedule, given below the districts and/or portions thereof in which curers of tobacco will be exempted from declaration of their tobacco yield under Rule 16, provided that the quantity of tobacco cured by a curer does not exceed the maxima specified in column 3 of the schedule. When the limit is exceeded it is obligatory on the part of the curer to declare the particulars to the proper officer either personally or by registered post. The above exemption under rule 16 of Central Excise Rules, 1944 will not apply to Flue-cured tobacco and tobacco other than Flue-cured used in the manufacture of cigarettes and biris.

Schedule showing revenue jurisdiction of areas in Kanpur Collectorate, exempted under Rules 16 of Central Excise Rules, 1944.

S. No.	Name of districts or portions thereof	Exempted quantity in Kilograms	Remarks
1	2	3	4
1.	Mahroni, Lalitpur, Grotha, Mauranipur, Moth and Jhansi Tehsils of Jhansi District	40	
2.	Entire Jalaun and Hamirpur Districts.	40	
3.	Entire Kanpur District, except Bilhaur Tehsil.	40	
4.	Etawah	40	
5.	Agra	40	
6.	Mathura	40	
7.	Aligarh	40	
8.	Mainpuri	40	
9.	Bulandshahr.	40	
10.	Entire Meerut District.	40	
11.	Entire Mazaffarnagar District.	40	
12.	Nakur and Gangoh Parganas of Nakur Tehsil in Saharanpur District.	40	

1	2	3	4
13.	Chilkana Pargana of Nakur Tehsil in Saharanpur District.	40	
14.	Nakur Tehsil except Nakur and Gangoh Parganas of Saharanpur District.	40	
15.	Entire Tehsil Deoband of Saharanpur District.	40	
16.	Entire Roorkee Tehsil except Pargana Jwalapur of Roorkee Tehsil of Saharanpur District.	40	
17.	Pargana Jawalapur of Tehsil Roorkee of Saharanpur District.	40	
18.	Entire Tehsil Saharanpur of Saharanpur District.	40	
19.	Dehradun District except village forming part of MOR Hardwar.	40	
20.	Entire Tehri Garhwal District.	40	
21.	Entire Uttar Kashi District.	40	
22.	(a) Entire parganas of Fazipur Bendaria, Ulaisahawar, Sidpur, except villages Sahawar, Sehawar proper, Sahlot and Dundhra of Kasganj Tehsil of Etah District. (b) Entire Parganas of Merhera, Etah, Saktipur, Sonar, Bilram & Pachlana of Etah Tehsil, Etah Distt. (c) Entire Pargana of Mirpur of Aliganj Tehsil, except villages Barhola, Dar-ka-Nagla, Sonari and Merethi of Aliganj Tehsil of Etah District. (d) Entire Pargana of Potiali of Aliganj Tehsil, except villages Ganj-undwara, Sujawalpur, Alipur Dadar Allahpur, Nagdavob Samaspur, Barathi and Patiali town area. (e) Entire Jalesar Tehsil except village Unchagaon, Timarua, Sarai Neem, Bha and Jalesar proper,	40	
23.	Dargana Tirwa of Kannauj Tehsil and Parganas Sakrawa and Sakatpur of Chhibramau Tehsil of Farrukhabad District.	40	
24.	Entire Trans-Ganges area of MOR I, Fatehgarh, Farrukhabad District.	40	

[Notification No. 10/73-CE—C. No.
V (1) 85-Audit/73/11/56334]

का० प्रा० 19.—इस समाहृतलय की अधिसूचना सं० 7/69 दिनांक 4-11-69 का अधिक्रमण करते हुए तथा के०उ०शु० नियमावली 1944 के नियम 15 के द्वितीय परन्तुक के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा नीचे दी गई अनुसूची में उन जिलों तथा उनके भागों को अधिसूचित करता हूँ जिनमें तम्बाकू उगाने वालों को नियम 15 के अधीन अपनी तम्बाकू की खेती के क्षेत्रफल की घोषणा करने से छूट होगी बशर्त क्षेत्रफल उक्त अनुसूची के स्तम्भ 2 में अधिसूचित क्षेत्रों के बारे में स्तम्भ 3 में विनिर्दिष्ट अधिकतम क्षेत्रफल की सीमा से अधिक नहीं है। क्षेत्रफल के निर्धारित सीमा से अधिक होने पर तम्बाकू उगाने वाले व्यक्ति के लिये यह अनिवार्य है कि वह उपयुक्त अधिकारी को वैयक्तिक रूप से या पंजीबद्ध पत्र द्वारा अपने तम्बाकू के क्षेत्रफल का व्यौरा घोषित करे। केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 15 के अधीन यह छूट बीड़ी तथा सिगरेट के विनिर्माण में प्रयोग की जाने वाली उष्मा द्वारा सिक्काई गई (फ्लूक्योर्ड) तम्बाकू तथा उष्मा द्वारा सिक्काई गई (फ्लूक्योर्ड) तम्बाकू के अतिरिक्त अन्य तम्बाकू पर लागू नहीं होगी।

काठपुर समाहृतलय में केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 35 के अधीन छूट प्राप्त राजस्व के क्षेत्राधिकार को बंशित करने वाली अनुसूची :—

क्रम सं०	जिलों प्रथम या उनके भागों के नाम	छूट प्राप्त क्षेत्रफल अधिसूक्तियाँ (एसस में)
1	2	3
1.	महरोनी, लखितपुर, गिरोधा, मऊरानीपुर झांसी जिले की मोठ तथा झांसी तहसील	4
2.	सम्पूर्ण जालौन तथा हमीरपुर जिले	4
3.	बिल्हीर को छोड़कर सम्पूर्ण कानपुर जिला	4
4.	इटवा	4
5.	भागरा	5
6.	मथुरा	5
7.	भलीगढ़	2
8.	मैनपुरी—प्रथम फसल द्वितीय फसल	2 4
9.	बुलन्दशहर	5
10.	सम्पूर्ण मेरठ जिला	7
11.	सम्पूर्ण मुजफ्फरनगर जिला	7
12.	सहारनपुर जिले में मकूर तहसील के मकूर तथा गंगोह परगने	7
13.	सहारनपुर जिले में मकूर तहसील का सिकलना परगना	7
14.	सहारनपुर जिले के मकूर तथा गंगोह परगनों को छोड़कर मकूर तहसील	7
15.	सहारनपुर जिले की सम्पूर्ण देवबन्द तहसील	6
16.	सहारनपुर जिले की रुड़की तहसील के ज्वालापुर परगने को छोड़कर सम्पूर्ण रुड़की तहसील	6
17.	सहारनपुर जिले की रुड़की तहसील का ज्वालापुर परगना	3
18.	सहारनपुर जिले की सम्पूर्ण सहारनपुर तहसील	5
19.	एम०ओ०आर० हरद्वार में धाने वाले गांव को छोड़कर देहरादून जिला	पूर्ण छूट
20.	सम्पूर्ण टिहरी गढ़वाल जिला	पूर्ण छूट
21.	सम्पूर्ण उत्तर काशी जिला	पूर्ण छूट
22.	(क) एटा जिले की तहसील कासगंज के कुंधरा सहलिट, सेहावर खास तथा सहाकर गांवों को छोड़कर सिवपुर, भलायसहावर, बेन्दरिया, फाजीपुर के सम्पूर्ण परगने (ख) जिला एटा तहसील एटा के पञ्चलाना सोनारम, बिलराम, सकसीपुर, एटा, मेरहरा के सम्पूर्ण परगने (ग) एटा जिले की भलीगंज तहसील के मेरेठी, सोनारी दार का नगला, बरहोला गांवों को छोड़कर भलीगंज तहसील के मीरपुर का सम्पूर्ण परगना। (घ) पटियाली टाउन एरिया तथा बराठी भगवद समसपुर, भल्लाहपुर, भलीपुरबावर सुजवालपुर, गंजबूनद्वारा गांवों को छोड़कर भलीगंज तहसील का सम्पूर्ण पटियाली परगना (ङ) जलेशर खास, भा, सरामीम तिमरुभा, तथा अंध गांव गांवों को छोड़कर सम्पूर्ण जलेशर तहसील	3 5 2 2 3

1	2	3	4
23. फर्रुखाबाद जिले की छिबरामऊ तहसील के सकलपुर तथा सकराबा परगने तथा कन्नौज तहसील का परगना तिरवा	प्रथम फसल-शून्य		
24. फर्रुखाबाद जिले में फतेहगढ़ एम०ओ०भार०-1 के गंगापुर का सम्पूर्ण क्षेत्र		द्वितीय फसल-5	

[अधिसूचना सं० 9/73-के०उ०शु०—पत्र सं० V (1)85 लेखा परीक्षा 73—II/56333] जे० दत्ता, समाहर्ता

S.O.19—In supersession of Central Excise Collectorate, Kanpur Notification No. 7/69 dt. 4-11-69 and in exercise of the powers conferred on me under second proviso to Rule 15 of Central Excise Rules, 1944, I, hereby, notify in the schedule given below the districts and parts thereof in which growers of tobacco will be exempted from declaration of the area under their tobacco cultivation under rule 15, provided that the area cultivated by a grower does not exceed the maxima specified in column 3 of the schedule in respect of the areas notified in column 2 thereof. When the limit is exceeded it is obligatory on the part of the grower to declare the particulars to the proper officer either personally or by registered post. The above exemption under rule 15 of Central Excise Rules, 1944 will not apply to Fluecured tobacco and tobacco other than Fluecured, used in the manufacture of cigarette and biris.

Schedule showing revenue jurisdiction of areas in Kanpur Collectorate exempted under rule 15 of Central Excise, 1944.

S. No.	Name of districts or portions thereof	Exempted areas in ares.	Remarks
1	2	3	4
1.	Mahroni, Lalitpur, Girotha Mauranipur, Moth & Jhansi tehsils of District Jhansi		4
2.	Entire Jalaun & Hamirpur District.		4
3.	Entire Kanpur District, Except Bilhaur.		3
4.	Etawah		4
5.	Agra		5
6.	Mathura		5
7.	Aligarh		2
8.	Mainpuri Ist crop		2
	IInd crop		4
9.	Bulandshahr		5
10.	Entire Meerut District		7
11.	Entire Muzaffarnagar Distt.		7
12.	Nakur and Gangoh Parganas of Nakur Tehsil in Saharanpur District.		7
13.	Chilkana Pargana of Nakur Tehsil in Saharanpur District.		7
14.	Nakur Tehsil except Nakur and Gangoh Parganas of Saharanpur District.		7
15.	Entire Tehsil Deoband of Saharanpur District.		6
16.	Entire Roorkee Tehsil except pargana Jwalapur of Roorkee Tehsil of Saharanpur District		5
17.	Pargana Jawalpur of Tehsil Roorkee of Saharanpur District		3
18.	Entire Tehsil Saharanpur of Saharanpur District.		5
19.	Dehradun Distt. except village forming part of MOR Hardwar	Total exemption	
20.	Entire Tehri Garhwal Distt.	Total exemption	
21.	Entire Uttar Kashi Distt.	Total exemption	

1	2	3	4
22. (a) Entire Parganas of Fazipur, Bendaria, Ulaisahawar, Sidpur, except villages saharwar, Sehawar proper, Sahit and Dundhra of Kasganj Tehsil of Etah Distt.			3
(b) Entire Parganas of Merhera, Etah, Saktipur, Sonarm Bilram & Pachlana of Etah Tehsil, Etah District.			5
(c) Entire Pargana of Mirpur of Aliganj Tehsil, except villages Barhola, Dar-Ka-nagla, Sonari and Merethi of Aliganj Tehsil of Etah District.			2
(d) Entire Pargana of Petiali of Aliganj Tehsil, except villages Ganjdun-dwara, Sujawalpur, Alipur Dadar, Allahpur, Nagdavoo Samaspur, Barathi and Patiali town area.			2
(e) Entire Jalesar Tehsil except village Unchagaon, Timarua, Sarai Neem, Bha and Jalesar proper.			3
23. Pargana Tirwa of Kannauj Tehsil and Parganas Sakrawa and Sakatpur of Chhibramau Tehsil of Farrukhabad Distt.	Ist crop		Nil
	2nd crop		5
24. Entire Trans-Ganges area of MOR 1, Fatehgarh, Farrukhabad District.			9

[Notification No. 9/73 CL—C. No. V (1) 85-Audit/73/II/56333]

J. Datta, Collector

वाणिज्य मंत्रालय

नई दिल्ली, 21 दिसम्बर, 1973

आदेश

का० आ० 20.—राष्ट्रपति, केन्द्रीय मन्त्रिमण्डल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० का० आ० 624, तारीख 20 फरवरी, 1973 के साथ प्रकाशित आदेश में निम्नलिखित संशोधन करते हैं, अर्थात्:—

उक्त आदेश की अनुसूची में,—

(1) साधारण केन्द्रीय सेवा, वर्ग 2 से संबंधित भाग 1 में,—

(क)

(ख) क्रम सं० 13 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम सं० और प्रविष्टियाँ अंतःस्थापित की जायेंगी, अर्थात्:—

“14. इलेक्ट्रानिकी के लिये निर्यात प्रसंस्करण जोन, मुम्बई।

सभी पद विकास आयुक्त विकास आयुक्त सभी”।

(2) साधारण केन्द्रीय सेवा, वर्ग 3 से संबंधित भाग 2 में,—

(क) क्रम सं० 2 की मद (ii) के सामने के स्तम्भ (1) में,

“संयुक्त मुख्य नियंत्रक, आयात निर्यात (केन्द्रीय अनुज्ञापन क्षेत्र) के कार्यालय और उसके प्रादेशिक कार्यालय, जिनमें सहायक नियंत्रक, लोहा तथा हस्पात, फरीदाबाद का कार्यालय भी है, के सभी पद” शब्दों के स्थान पर “संयुक्त मुख्य नियंत्रक, आयात, निर्यात (केन्द्रीय अनुज्ञापन क्षेत्र) के कार्यालय और उसके प्रादेशिक कार्यालय, जिनमें उप मुख्य नियंत्रक, आयात

निर्यात (लोहा तथा इस्पात), फरीदाबाद का कार्यालय भी है, के सभी पद" शब्द रखे जायेंगे;

(ख) क्रम सं० 4 और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित क्रम सं० और प्रविष्टियाँ रखी जायेंगी, अर्थात्—

(4) वस्त्र आयात का कार्यालय

मुख्यालय के कार्या- निदेशक/ज्येष्ठ प्रव- निदेशक/ज्येष्ठ प्रव- वस्त्र आयुक्त;
लय, प्रादेशिक, सैन अधिकारी/उप सैन अधिकारी
कार्यालयों, बुनकर निदेशक/प्रधानाचार्य उपनिदेशक/प्रधानाचार्य
सेवा केन्द्रों और चार्य
संस्थानों में सभी
पद

(ग) क्रम सं० 13 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्न-
लिखित क्रम सं० और प्रविष्टियाँ अन्तःस्थापित की जायेंगी,
अर्थात्—

"14 इलेक्ट्रॉनिक के लिये, निर्यात प्रसंस्करण जोन, मुम्बई।
सभी पद विकास आयुक्त विकास आयुक्त सभी संयुक्त सचिव (कामिक)"

(3) साधारण केंद्रीय सेवा, वर्ग 4 से संबंधित भाग 3 में,—

(क) क्रम सं० 2 की मद (ii) के सामने के स्तम्भ (1) में,
"संयुक्त मुख्य नियंत्रक आयात-निर्यात (केन्द्रीय अनुशासन
क्षेत्र) नई दिल्ली का कार्यालय और उसके प्रादेशिक कार्यालय,
जिनमें सहायक नियंत्रक लोहा तथा इस्पात, फरीदाबाद का कार्या-
लय भी है, के सभी पद" शब्दों के स्थान पर, "संयुक्त मुख्य
नियंत्रक, आयात-निर्यात (केन्द्रीय अनुशासन क्षेत्र) नई दिल्ली
कार्यालय और उसके प्रादेशिक कार्यालय, जिनमें उप मुख्य
नियंत्रक, आयात-निर्यात (लोहा तथा इस्पात), फरीदाबाद का
कार्यालय भी है, के सभी पद" शब्द रखे जायेंगे;

(ख) क्रम सं० 4 और उससे संबंधित प्रविष्टियों के स्थान पर,
निम्नलिखित क्रम सं० और प्रविष्टियाँ रखी जायेंगी, अर्थात्—

"(4) वस्त्र आयात का कार्यालय

मुख्यालय के कार्या- निदेशक/ज्येष्ठ प्रव- निदेशक/ज्येष्ठ प्रव- संयुक्त वस्त्र आयुक्त
लय, प्रादेशिक, सैन अधिकारी/उप सैन अधिकारी/उप
कार्यालयों, बुनकर निदेशक/प्रधानाचार्य निदेशक/प्रधानाचार्य
सेवा केन्द्रों और
संस्थानों में सभी
पद

(ग) क्रम सं० 13 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्न-
लिखित क्रम सं० और प्रविष्टियाँ अन्तःस्थापित की जायेंगी,
अर्थात्—

"14. इलेक्ट्रॉनिक के लिये निर्यात प्रसंस्करण जोन, मुम्बई।
सभी पद विकास आयुक्त विकास आयुक्त सभी विकास आयुक्त"

[सं० फा० 4/3/65-सत]

बी० कृष्णामूर्ति, उप सचिव।

MINISTRY OF COMMERCE

ORDER

New Delhi, the 21st December, 1973

S.O. 20—In exercise of the powers conferred by sub-rule (2)
of rule 9, clause (b) of sub-rule (2) of the rule 12 and sub-rule
(1) of rule 24 of the Central Civil Services (Classification, Con-

trol and Appeal) Rules, 1965, the President hereby makes the
following amendments in the Order published with the notifi-
cation of the Government of India in the Ministry of Commerce
No.S.O.624, dated the 20th February, 1973, namely :—

In the Schedule to the said Order,—

(1) In Part-I relating to General Central Service, Class II,—

(a) in column (2) against S.No.4, for the words "Textile
Commission", the words "Textile Commissioner"
shall be substituted;

(b) after S.No.13 and the entries relating thereto, the follo-
wing S.No. and the entries shall be inserted, namely :—

"14. Export Processing
Zone for Electronics,
Bombay.

All Posts	Develop- ment Commis- sioner	Develop- ment Commis- sioner	All";
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(2) In Part-II relating to General Central Service, Class III.—

(a) In column (1) against item (ii) of S.No.2 for the words-
"All posts in the Office of JCCI&E (CLA) and its Regional
Offices including office of the Asstt. Iron and Steel
Controller, Faridabad" the words "All posts in the
Office of the Joint Chief Controller of Imports and
Exports (Central Licensing Area) and its Regional
Offices including office of the Deputy Chief Controller
of Imports and Exports (Iron and Steel), Faridabad"
shall be substituted;

(b) For S.No.4 and the entries relating thereto, the following
S.No. and the entries shall be substituted, namely :—

"4. Office of the Textile Commissioner:

All Posts in Headquarters Office, Regional Offices the Weavers Service Centres and the Institutes	Director/ Senior Enforce- ment Officer/ Deputy Director/ Principal	Director/ Senior Enforce- ment Officer/ Deputy Director/ Principal	All Tex- tile Co- mmis- sioner"
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(c) after S.No.13 and the entries relating thereto, the follo-
wing S.No. and the entries shall be inserted namely :—

"14. Export Processing Zone
for Electronics, Bombay.

All Posts	Development Commis- sioner	Development Commis- sioner	All Joint Secre- tary (Perso- nnel),
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(3) In Part III relating to General Central Service, Class IV :—

(a) In column (1) against item (ii) of S.No.2, for the words
"All posts in the Office of Jt. CCI&E (CLA), New
Delhi and its Regional Offices including office of the
Asstt. Iron and Steel Controller, Faridabad", the
words "All posts in the Office of the Joint Chief Contro-
ller of Imports and Exports (Central Licensing Area),
New Delhi and its Regional Offices including Office
of the Deputy Chief Controller of Imports and Exports
(Iron and Steel) Faridabad" shall be substituted;

(b) for S.No.4 and entries relating thereto, the following
S.No. and the entries shall be substituted, namely :

"4. Office of the Textile Commissioner :—

All posts in Headquarters Office, Regional Offices, the Weavers Service Cen- tres and the Institutes.	Director/ Senior Enforce- ment Officer/ Deputy Director/ Principal	Director/ Senior Enforce- ment Officer/ Deputy Director/ Principal	All Joint Textile Commis- sioner"
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(c) after S.No.13 and the entries relating thereto, the following S.No. and the entries shall be inserted, namely :—

14. Export Processing Zone
for Electronics Bombay.

All posts	Development Commissioner	Development Commissioner	All Development Commissioner."
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[No.F.4/3/65-Vig]

B. KRISHNAMURTHY
Dy. Secy.

आदेश

नई दिल्ली, 21 नवम्बर, 1973

क्र. आ. 21.—सर्वश्री पैरामाउन्ट मीटर्स प्रा. लि., जामनगर को स्वतन्त्र स्रोतों के मूल्य कच्चे माल/संघटकों के आयात के लिए एक आयात लाइसेंस सं. पी/डी/2188791/सी/एक्स एक्स/43/एच/33.34/आर एम-1 दिनांक 28-4-1972 स्वीकृत किया गया था उन्होंने लाइसेंस की अनुमिलीप सीमाशुल्क कार्यसंबंधी प्रतीति के लिए आवेदन किया है और वह इस आधार पर कि मूल सीमाशुल्क कार्यसंबंधी प्रतीति खो गई है। लाइसेंसधारी द्वारा आगे यह प्रतीति-वीवत किया गया है कि उक्त लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत कराए बिना और उसका बिल्कुल उपयोग किए बिना ही खो गया था।

अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं. पी/डी/2188791/सी/एक्स एक्स/43/एच/33.34/आर एम-1 दिनांक 28-4-1972 की मूल सीमाशुल्क प्रतीति खो गई है और निवेश होता है कि उन्हें उस लाइसेंस की अनुमिलीप सीमाशुल्क कार्यसंबंधी प्रतीति जारी की जानी चाहिए। उपर्युक्त लाइसेंस की मूल सीमाशुल्क कार्यसंबंधी प्रतीति एतद्वारा रद्द की जाती है।

[संख्या मीटर/2-बी/71-72/आर एम-1]

आई. सी. चुनकत, उप-मुख्य नियंत्रक

ORDER

New Delhi, the 21st November, 1973

S.O. 21.—M/s. Paramount Meters Pvt. Ltd., Jamnagar who were granted import licence No. P/D/2188791/C/XX/43/H/33-34/RMI dated 28-4-1972 for Rs. 11,000 against Free sources for the import of Raw material/components, have requested for issue of duplicate copy of the Customs Control purposes copy of the licence on the ground that the original Customs copy has been lost. It has been further reported by the licensee that the said licence was lost without having been utilised at all and was also not registered with any customs authorities.

In support of their contention the applicant has filed in an affidavit. The undersigned is satisfied that the original Customs copy of the licence No. P/D/2188791/C/XX/43/H/33-34/RMI dated 28-4-1972 has been lost and directs that a duplicate Customs purposes copy of the said licence should be issued to them. The original Customs purposes copy of the said licence is hereby cancelled.

[No. Meter/2-B/71-72/RMI]

I. V. CHUNKATH, Dy. Chief Controller.

आदेश

नई दिल्ली, 21 दिसम्बर, 1973

क्र. आ. 22.—वि. हवी इंजीनियरिंग कारपोरेशन लि., रांची को 50,18,000 रुपये के अर्ध-सैधार बी जी तथा एम जी क्रैकशाफ्ट्स के आयात के लिए एक लाइसेंस सं. जी/आर/2088572/एस/आई ए/42/एच/33-34 दिनांक 15-2-1972 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की सीमाशुल्क निकासी प्रतीति की अनुमिलीप जारी करने के लिए इस आधार पर आवेदन किया है कि उपर्युक्त लाइसेंस की मूल सीमाशुल्क निकासी प्रतीति उन से खो गई है। लाइसेंसधारी द्वारा यह भी सूचना दी गई है कि लाइसेंस सीमाशुल्क कार्यालय, कलकत्ता में पंजीकृत किया गया है और उन्होंने उसका उपयोग बिल्कुल भी नहीं किया है।

अपने तर्क के समर्थन में आवेदक ने यह एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं. जी/आर/2088572/एस/आई ए/42/एच/33-34 दिनांक 15-2-1972 की मूल सीमाशुल्क निकासी प्रतीति खो गई है और निवेश होता है कि इस की अनुमिलीप प्रतीति उन को जारी की जानी चाहिए।

आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9 द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए लाइसेंस सं. जी/आर/2088572/एस/आई ए/42/एच/33-34 दिनांक 15-2-1972 की मूल सीमाशुल्क निकासी प्रतीति एतद्वारा रद्द की जाती है।

लाइसेंस सं. जी/आर/2088572/एस/आई ए/42/एच/33-34 की सीमाशुल्क निकासी प्रतीति की अनुमिलीप अलग से जारी की जा रही है।

[संख्या 7-एच/रेलवे/71-72/जी एल एस 1349]

एन. सी. कांजीलाल, उप-मुख्य नियंत्रक

कृत-मुख्य नियंत्रक

ORDER

New Delhi, the 21st December, 1973

S.O. 22.—The Heavy Engineering Corporation Ltd., Ranchi were granted licence No. G/R/2088572/S/IA/42/H/33-34 dated 15-2-72 for the import of Semi-finished BG & MG Crankshafts to the value of Rs. 50,18,000. They have requested for the issue of duplicate Customs Copy of the above licence on the ground that the original Customs Copy of the above licence has been lost by them. It has been further reported by the licensee that the licence has been registered with Calcutta custom, the licence has not been utilised by them at all.

In support of their contention, the applicant have filled an affidavit. The undersigned is satisfied that the Original Custom copy of the licence No. G/R/2088572/S/IA/42/H/33-34 dated 15-2-1972 has been lost, and direct that Duplicate Customs copy of the said licence should be issued to them.

In exercise of the powers conferred under clause 9 of the Import (Control) order 1955 dt. 7-12-1955 customs copy of original import licence No. G/R/2088572/S/IA/42/H/33-34 dt. 15-2-1972 is hereby cancelled.

The duplicate Customs copy of the licence No. G/R/2088572/S/IA/42/H/33-34 is being issued separately.

[File No. 7-H/Rly./71-72/GLS./349]

N. C. KANJILAL, Dy. Chief Controller
for Chief Controller

आवृत्ति

नई दिल्ली, 1 दिसम्बर, 1973

का. आ. 23.—सर्वश्री दैनिक जागरण, 2, सर्वोदय नगर, कानपुर-5 (उत्तर प्रदेश) को 3,99,000 (तीन लाख नित्यान्वै हजार रुपये मात्र) रुपये के लिए एक आयात लाइसेंस संख्या पी/ए/1395112/सी/यूआर/49/एच/37.39 दिनांक 22-3-73 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। आगे यह बताया गया है कि मूल प्रति सीमाशुल्क प्राधिकारियों के बाव पंजीकृत नहीं थी। उसका कुछ भी उपयोग नहीं किया गया था और 27-11-73 को उस पर शेष उपलब्ध 3,99,000 रुपये था।

2. इस तर्क के समर्थन में आवेदक ने अधिवक्ता नोटरी-कानपुर के एक प्रमाणपत्र के साथ एक शपथ पत्र दाखिल किया गया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है। इसीलिए, यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-55 के उपधारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर सर्वश्री दैनिक जागरण, कानपुर को जारी किए गए लाइसेंस संख्या पी/ए/1395112/सी/यूआर/49/एच/37.38 दिनांक 22-3-73 की मूल सीमाशुल्क प्रयोजन प्रति को एतद्वारा रद्द किया जाता है।

3. उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति लाइसेंसधारी को अलग से जारी की जा रही है।

[सं. 44. बी/बी पी-122/73.74/एन पी सी (बी)]

ORDER

New Delhi, the 1st December, 1973

S.O. 23.—M/s. Daily Jagran, 2, Sarvodaya Nagar, Kanpur, 5, (U.P.) were granted an import licence No. P/A/1395112/C/UR/48/H/37.38. dated 22-8-73 for Rs. 3,99,000/- (Rupees Three Lakh and Ninety Nine Thousand only). They have applied for the issue of a duplicate Customs Purposes/Exchange Control Purposes copy of the said licence on the ground that the original Customs Purposes copy has been lost. It is further stated that the original Customs Purposes copy was registered with the Customs authorities at Nil Bank Ltd., Nil unutilised and utilised fully/partly. It was utilised for Rs. Nil and the balance on it was Rs. 3,99,000/- as on 27-11-73.

2. In support of this contention the applicant has filed an affidavit along with a certificate from Advocate Notary, Kanpur. I am accordingly satisfied that the original Customs Purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-55 as amended the said original Customs Purposes copy of licence No. P/A/1395112/C/UR/48/H/37.38 dated 22-8-73 issued to M/s. Daily Jagran, Kanpur is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued separately to the licensee.

[No. 44 V/BP-122/73. 74/NPCB.]

आवृत्ति

नई दिल्ली 11 दिसम्बर, 1973

का. आ. 24.—सर्वश्री मंजोगान डाक लिमिटेड, शेक्याड रोड, मंजोगान, बम्बई को 2,43,622/- रुपये (दो लाख तीसालीस

हजार छः सौ बाईस रुपये मात्र) मूल्य का एक आयात लाइसेंस सं. 1043783/सी/एक्स/38/एच/31-32 दिनांक 12.1.72 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क निकासी प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति खो गई/अस्थानस्थ हो गई है। यह भी बताया गया है कि मूल सीमाशुल्क निकासी प्रति सीमाशुल्क कार्यालय, बम्बई में पंजीकृत कराई थी और उसका आंशिक उपयोग किया था। इस का 2,08,255/- रुपये के लिए उपयोग किया था और इस पर 13-6-1973 को 35,367/- रुपये का उपयोग करना शेष था।

2. इस तर्क के समर्थन में आवेदक ने प्रेसीडेंसी मजिस्ट्रेट, बम्बई से एक प्रमाण पत्र के साथ एक शपथ पत्र दाखिल किया है। तबनुसार, मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमाशुल्क निकासी प्रति खो गई है। इस लिए यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उपधारा 9 (सी सी) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री मंजोगान डाक लि., बम्बई को जारी किए गए लाइसेंस सं. 1043783/सी/एक्स/38/एच/31-32 दिनांक 12-1-1972 की उक्त मूल सीमाशुल्क निकासी प्रति एतद्वारा रद्द की जाती है।

3. उक्त लाइसेंस की सीमाशुल्क निकासी प्रति की एक अनुलिपि लाइसेंसधारी को अलग से जारी की जा रही है।

[संख्या एम डी एस/21/71-72/पी एल एस ए]

सरदुल सिंह, उप-मुख्य नियंत्रक।

ORDER

New Delhi, the 11th December, 1973

S.O. 24.—M/s. Mazgon Dock Ltd., Dockyard Road, Mazagon, Bombay were granted an import licence No. 1043783/c/xx/38/h/31-32 dated 12-1-72 for Rs. 2,43,622 (Rupees Two lakhs, fortythree thousand, six hundred and twenty two only). They have applied for the issue of a duplicate Customs Purposes copy of the said licence on the ground that the original Customs Purposes copy has been lost/misplaced. It is further stated that the original Customs Purposes copy was registered with the Customs authorities at Bombay and utilised partly. It was utilised for Rs. 2,08,255 and the balance available on it was Rs. 35,367 as on 13-6-73.

2. In support of this contention the applicant has filed an affidavit along with a certificate from Presidency Magistrate Bombay. I am accordingly satisfied that the original Customs Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-55 as amended the said original Customs Purposes copy of licence No. 1043783/c/xx/38/h/31-32 dated 12-1-72 issued to M/s. Mazagon Dock Ltd., Bombay is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued separately to the licensee.

[No. MDL/21/71-72/PLSA.]

SARDUL SINGH, Dy. Chief Controller

समुक्त मुख्य नियंत्रक, आयात-निर्यात

आवृत्ति

बम्बई, 16 अप्रैल, 1973

का. आ. 25.—सर्वश्री रणजीत इलेक्ट्रिकल्स, 54, हमली बाजार, इन्दौर को प्रतिशोधक तारों के आयात के लिए दो लाइसेंस सं. पी/एस/1716682 और पी/एस/1716683 दोनों का दिनांक 7-8-1972

और प्रत्येक का मूल्य 125/- है, निम्नलिखित शर्तों के अधीन जारी किए गए थे :—

“यह लाइसेंस इस शर्त के अधीन जारी किया जाता है कि इस के अधीन आयात किए गए माल की सभी मदों का उपयोग केवल लाइसेंसधारी के उसी कारखाने में किया जाएगा जिस का पता उस आवेदन पत्र में प्रदर्शित किया गया है जिसके आधार पर यह लाइसेंस जारी किया गया था वे मदें विनिर्माण करने वाले अन्य एकक के कारखाने में संशोधित की जा सकती हैं, परन्तु उनका कोई भाग किसी अन्य पक्ष को नहीं बेचा जाएगा न उसके द्वारा उपयोग किया जाएगा, न किसी अन्य तरीके से उपयोग करने की अनुमति दी जाएगी। लेकिन, अन्य एकक के कारखाने में इस प्रकार संशोधित किए गए माल का उपयोग लाइसेंस धारी द्वारा नियंत्रित विनिर्माण कार्यों में किया जाएगा। लाइसेंसधारी लाइसेंस के आधार पर आयात किए गए माल के उपयोग और उपभोग का निर्धारित रीति से सही लेखा रखेगा और उस लेखे के लाइसेंस प्राधिकारी या प्रयोजक प्राधिकारी या किसी अन्य सम्बन्ध प्राधिकारी के उस समय सीमा के भीतर प्रस्तुत करेगा जो सम्बन्ध प्राधिकारी द्वारा निर्धारित की जाए।”

2. उसके बाद एक कारण निर्देशन नोटिस सं. 1/178/72/एन/एनफ/206 दिनांक 27-1-1973 उनको यह पृष्ठते हुए जारी किया गया था कि 15 दिनों के भीतर कारण बताएं कि उन को जारी किए गए उक्त लाइसेंस धारा 9, उप धारा (ए) की शर्तों के अनुसार इस आधार पर रद्द क्यों न कर देने चाहिए कि वह संभरक कमरा जिसको उन्होंने मशीनरी के लिए आवेदन दिया था न तो मशीनों के विनिर्माण के लिए एक लघु पैमाना उद्योग एकक ही पंजीकृत हैं और न मशीनों का व्यापारी ही हैं और भूतकाल में उसने मशीनों का संभरण किया है इसका रिकार्ड दिखाने में भी वह असफल रहा है।

3. पूर्वोक्त कारण निर्देशन नोटिस के उत्तर में सर्वश्री रणजीत इलेक्ट्रिकल्स, इन्दौर ने अपने पत्र दिनांक 3-2-73 द्वारा उपर्युक्त दोनों लाइसेंसों के रद्द करने के लिए अभ्यर्पित कर दिए थे क्योंकि वे एक लघु धनराशि के लिए थे और वे उनका उपयोग करने के इच्छुक नहीं थे।

4. अधोहस्ताक्षरी ने उक्त मामले की ध्यानपूर्वक जांच कर ली है और इस निर्णय पर पहुँचा है कि लाइसेंस उस उद्देश्य की पूर्ति नहीं करेंगे जिसके लिए वे प्रदान किए गए थे और यह कि वे तथ्यों के मिथ्यानिर्णय द्वारा प्राप्त किए गए थे।

5. पिछले पत्र में जो कुछ कहा गया है उसको ध्यान में रखते हुए अधोहस्ताक्षरी संतुष्ट हैं कि विषयाधीन लाइसेंस रद्द कर देने चाहिए या अन्यथा अप्रभावी कर देने चाहिए। इसलिए अधोहस्ताक्षरी आयात (नियंत्रण) आदेश, 1955 की धारा 9 उप-धारा (ए) के अन्तर्गत प्राप्त अधिकारों का प्रयोग करते हुए सर्वश्री रणजीत इलेक्ट्रिकल्स, इन्दौर को जारी किए गए लाइसेंस सं. पी/एस/1716682 और (2) पी/एस/1716683 दोनों का दिनांक 7-8-1972 और प्रत्येक का मूल्य 125 रुपये को एतद् द्वारा रद्द करता है।

[संख्या 1/178/72/ए यू/एनफ/698]

एन. बनर्जी, उप-मुख्य नियंत्रक।

(Office of the Joint Chief Controller of Imports and Exports, Bombay-20)

ORDER

New Delhi, the 16th April, 1973

S.O. 25.—Two licences No. P/S/1716682 and P/S/1716683 both dated 7-8-1972 for value of Rs. 125/- each for import of

Resistance wire were issued to M/s. Ranjit Electricals, 54 Imali Bazar, Indore subject to the conditions as under :—

“This licence is issued subject to the condition that all items of goods imported under it shall be used only in the licence holder's factory at the address shown in the application against which the licence is issued and for the purpose for which the licence is issued or may be processed in the factory of another manufacturing unit, but no portion thereof shall be sold to any other party or utilised or permitted to be used in any other manner. The goods so processed in another factory shall, however, be utilised in the manufacturing processes undertaken by the licensee. The licensee shall maintain a proper account of consumption and utilisation of the goods imported against the licence in the prescribed manner and produce such accounts to the licensing authority, sponsoring authority, or any other authority concerned within such time as may be specified by such authority”.

2. Thereafter, a show cause notice No. 1/178/72/AU/Enf/206 dated 27-1-1973 was issued asking them to show cause within 15 days as to why the said licences in their favour should not be cancelled on the ground that the supplier on whom orders for machinery were placed by them is neither a SSI unit registered for manufacture of machines nor a dealer in machines and the supplier has failed to show records for supply of machines in the past, in terms of clause 9, Sub-Clause (a).

3. In response to the aforesaid show cause notice, M/s. Ranjit Electricals, Indore had, by their letter dated 3-2-73 surrendered the above 2 licences for cancellation as those are for a small amount and that they are not interested to utilise them.

4. The undersigned has carefully examined the said case and has come to the conclusion that the licences will not serve the purpose for which they have been granted and that the licences were obtained by misrepresentation of facts.

5. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licences in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under clause 9 sub-clause (a) of the Imports (Control) Order, 1955 hereby cancel the licence Nos. P/S/1716682 and (2) P/S/1716683 both dated 7-8-1972 for Rs. 125/- each issued in favour of M/s. Ranjit Electricals, Indore.

[No. 1/178/72/AU/Enf/698]

N. BANERJI,
Dy. Chief Controller

औद्योगिक विकास मंत्रालय

आपरांश

नई दिल्ली, 20 दिसम्बर, 1973

का. आ. 26.—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एवम् विकास परिषद् (कार्यविधि) नियम 1952 के नियम 2, 4, और 5 के साथ पढ़ते हुए केन्द्रीय सरकार एतद्द्वारा इस आदेश की तिथि से दो वर्षों की अवधि के लिए औद्योगिक विकास मंत्रालय के आदेश सं. का आ./2582/आई. डी. आर. ए/6/71. दिनांक 19 जून, 1971 जिसे समय समय पर संशोधित किया गया है, के अधीन नियुक्त किये गये सदस्यों के स्थान पर, जिनका कार्यकाल समाप्त हो गया है, निम्नलिखित व्यक्तियों को समझा तथा समझे की बनी वस्तुओं के निर्माण अथवा उत्पादनरत अनुसूचित उद्योगों की विकास परिषद् का सदस्य नियुक्त करती है :—

चमड़ा तथा चमड़े की वस्तु उद्योग की विकास परिषद्

1. श्री एस. पी. पीण्डित, प्रबन्ध निदेशक, मॅ. बॅस्टर्न इण्डिया टैनीरिज लि., 2-ए, धारावी रोड, बंबई-17.

2. श्री टी. अब्दुल वहीद, वरिष्ठ पार्टनर, मॅ. टी. अब्दुल वहीद एण्ड कम्पनी, 19, नैपरी हाई रोड, मद्रास-3.
3. श्री. ए. नागप्पा चेट्टियार, प्रबंध निदेशक, मॅ. इण्डियन लेदर कारपोरेशन प्रा. लि., 9, डेविडसन स्ट्रीट, मद्रास-1.
4. श्री संजय सन, अध्यक्ष, मॅ. नेशनल टैनरी कं. लि., मर्कन्टाइल बिल्डिंग, लाल बाजार स्ट्रीट, कलकत्ता-1.
5. श्री जनाब हाशिम, द्वारा मॅ. एम. ए. खिज़ार हुसैन एण्ड संस, 10, कुमारप्पा चेट्टी स्ट्रीट, पैरियामेंट, मद्रास-3.
6. श्री एम. एन. झा, सचिव, आगरा फुटवियर मैन्युफैक्चर्स एसोसिएशन द्वारा के. के. लैवर इण्डस्ट्रीज, 4/451, बेलनगंज, आगरा।
7. श्री नसीम हुकबाल, पायनरी टैनरीज एण्ड ग्लू वर्क्स, जय मऊ, कानपुर।
8. श्री. बी. पी. गुप्ता, मॅ. करोंवा साहू, 221, डा. दादाभाई नौरोजी रोड, बंबई।
9. श्री रफीक तेजानी, मेट्रोपोलिटन फुटवियर कं., कोलाबा, बंबई-51.
10. श्री साधन कर, वेस्ट बंगाल लेदर गूड्स मैन्युफैक्चर्स, एण्ड एक्सपोर्टर्स एसोसिएशन, 42, साउथ एण्ड पार्क, कलकत्ता-29.
11. श्री एस. एल. अटल प्रबंध निदेशक, मॅ. टैनरी एण्ड फुटवियर कारपोरेशन आफ इण्डिया लि., 13/400, सिविल लाइन्स, हजारी बंगला, कानपुर।
12. श्री पी. जेड बालीडक, प्रबंध निदेशक, मॅ. बाटा इण्डिया लि., 30, शेक्सपियर सर्णी, कलकत्ता-17।
13. श्री आर. सौंधी, कपूरथला नार्दन इण्डिया टैनरीज, कपूरथला (पंजाब)।
14. डा. एम. संतप्पा, निदेशक, सेंट्रल लेदर रिसर्च इंस्टीट्यूट, अडियार, मद्रास-20।
15. श्री एस. जावव, निदेशक विकास आयुक्त, लघु उद्योग का कार्यालय, नई दिल्ली।
16. श्री आर. मुकजी, शालीमार इंजीनियरिंग वर्क्स, कलकत्ता।
17. श्री ए. एस. गिल, संयुक्त सचिव, वाणिज्य मंत्रालय, नई दिल्ली।
18. श्री एस. राजा, संपादक, 'दी टैनर' जार मॅसन, नांदरा, बम्बई-50।
19. श्री आर. धंजन, विकास अधिकारी (चमड़ा) तकनीकी विकास का महानिदेशालय, उद्योग भवन, नई दिल्ली।
20. श्री टी. आर. राव, एसोसिएट टैनरीज, विजयनगरम,
21. श्री आर. के. बलबीर, कार्यकारी निदेशक, भारतीय राज्य व्यापार निगम लि., चन्द्रलोक जनपथ, नई दिल्ली।
22. अध्यक्ष, लेदर एक्सपोर्ट प्रमोशन काउंसिल, मद्रास।
23. अध्यक्ष, लेदर एक्सपोर्ट प्रमोशन काउंसिल, कानपुर।
24. श्री पी. के. चटर्जी, निदेशक, आपूर्ति (टी. डब्ल्यू. एल.), आपूर्ति और निपटान का महानिदेशालय, पैरियामेंट स्ट्रीट, नई दिल्ली।

25. श्री एस. के. सहगल, संयुक्त सचिव, औद्योगिक विकास मंत्रालय,

[सं आई. डी. आर. ए/6/73]

2. केन्द्रीय सरकार एतद्द्वारा उक्त विकास परिषद् को उद्योग (विकास तथा विनियमन) अधिनियम, 1951 की दूसरी सूची में गिनाये गए सभी कार्य सौंपती है।

3. श्री आर. धंजन, विकास अधिकारी, तकनीकी विकास के महानिदेशालय नई दिल्ली को उक्त विकास परिषद् के सचिव के कार्यों को करने के लिए एतद्द्वारा नामित किया जाता है।

[एफ. सं. 11(24)/73-एल. आर. जी.]

जी. रामनाथन, उप-सचिव

MINISTRY OF INDUSTRIAL DEVELOPMENT

ORDER

New Delhi, the 20th December, 1973

S.O. 26.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951) read with rules 2, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of this Order, the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture or production of Leather and Leather Goods, in place of members appointed under Ministry of Industrial Development Order No. S.O. 2582/IDRA/6/71 dated the 19th June, 1971 as amended from time to time, whose term of office has expired.

[IDRA/6/73]

Development Council for Leather and Leather Goods Industries.

1. Shri S. P. Pandit, Chairman, Managing Director, M/s. Western India Tanneries Ltd., 2-A, Dharavi Road, Bombay-17.
2. Shri T. Abdul Wahid, Senior Partner, M/s. T. Abdul Wahid & Co., 19, Vopory High Road, Madras-3.
3. Shri A. Nagappa Chettiar, Managing Director, M/s. India Leather Corporation Pvt. Ltd., 9, Davidson Street, Madras-1.
4. Shri Sanjoy Sen, Chairman, M/s. National Tannery Co. Ltd., Mercantile Building, Lal Bazar Street, Calcutta-1.
5. Shri Janab Hashim, C/o M/s. M.A. Khizar Husain & Sons, 10, Kumarappa Chetty Street, Periamet, Madras-3.
6. Shri M. N. Jha, Secretary, Agra Footwear Manufacturers' Association C/o Kay Kay Leather Industries, 4/451, Belanganj, Agra.
7. Shri Naseem Iqbal, Pioneer Tanneries & Glue Work, Jai Mau, Kanpur.
8. Shri V. P. Gupta, M/s. Carona Sahu, 221, Dr. Dadabhai Naroji Road, Bombay.
9. Shri Rafiq Tejani, Metropolitan Footwear Co., Colaba, Bombay-5.
10. Shri Sadhan Kar, West Bengal Leather Goods Manufacturers, and Exporters Association, 42, South End Park, Calcutta-29.
11. Shri S. L. Atal, Managing Director, M/s. Tannery & Footwear Corporation of India Ltd., 13/400, Civil Lines, Hazari Bungalow, Kanpur.
12. Shri P. Z. Baldik, Managing Director, M/s. Bata India Ltd., 30, Shakespeare Sarani, Calcutta-17.
13. Shri R. R. Sondhi, Kapurthala Northern India Tanneries, Kapurthala (Punjab).

14. Dr. M. Santappa, Director, Central Leather Research Institute, Adyar, Madras-20.
15. Shri S. Jadav, Director, Office of the Development Commissioner, Small Scale Industries, New Delhi.
16. Shri R. Mukherjee, Shallmar Engineering Works, Calcutta.
17. Shri A. S. Gill, Joint Secretary, Ministry of Commerce, New Delhi.
18. Shri S. Raja, Editor, "The Tanner", Jar Mansion, Nandra, Bombay-50.
19. Shri R. Thanjan, Development Officer (Leather), Directorate General of Technical Development, Udyog Bhavan, New Delhi.
20. Shri T. R. Rao, Associated Tanneries, Vijayanagar.
21. Shri R. K. Balbir, Executive Director, State Trading Corporation of India Ltd., Chandralok, Janpath, New Delhi.
22. The Chairman, Leather Export Promotion Council, Madras.
23. The Chairman, Leather Export Promotion Council, Kanpur.
24. Shri P. K. Chatterji, Director of Supplies (TWL), D.G.S. & D., Parliament Street, New Delhi.
25. Shri S. K. Sehgal, Joint Secretary, Ministry of Industrial Development.

[IDR/6/73]

2. The Central Government hereby assigns all the function enumerated in the Second Schedule to Industries (Dev. and Reg.) Act, 1951 to the said Development Council.

3. Shri R. Thanjan, Development Officer, D.G.T.D., New Delhi is hereby nominated to perform the functions of the Secretary to the said Development Council.

[No. 11 (24)/73-LRG]

G. RAMANATHAN, Dy. Secy.

भारी उद्योग मंत्रालय

नई दिल्ली, 13 दिसम्बर, 1973

का. आ. 27.—मोटर कार (वितरण तथा बिक्री) नियंत्रण आदेश, 1959 एवं स्कूटर (वितरण तथा बिक्री) नियंत्रण आदेश, 1960 की धारा 2(क) के अधीन केन्द्रीय सरकार एतद्वारा श्री एस. गणेशपाण्डियन, अवसर सचिव, भारी उद्योग मंत्रालय को श्री एच. एल. अहुजा के स्थान पर उक्त आदेशों के प्रयोजनार्थ मोटर कार नियंत्रक व स्कूटर नियंत्रक नियुक्त करती है।

[सं. 9(32)/71-ए. ई. आई. (3)]

एस. एस. घोष, संयुक्त सचिव

MINISTRY OF HEAVY INDUSTRY

New Delhi, the 13th December, 1973

S.O. 27.—Under Clauses 2(a) of the Motor Cars (Distribution & Sale) Control Order 1959 and the Scooters (Distribution & Sale) Control Order, 1960, the Central Government hereby appoint Shri S. Ganesapandian, Under Secretary, Ministry of Heavy Industry (Bhari Udyog Mantralaya) as Controller of Motor Cars and Controller of Scooters for the purposes of the said orders vice Shri H. L. Ahuja.

[No. 9(32)/71-AEI (III)]

S. M. GHOSH, Joint Secy.

पेट्रोलियम और रसायन मंत्रालय

नई दिल्ली, 20 दिसम्बर, 1973

का. आ. 28.—पेट्रोलियम पाइपलाइन (भूमि के उपयोग-कर्ता के अधिकार का प्रजन) अधिनियम, 1962 (संख्या-50, 1962) की धारा-2 के खण्ड (क) के अनुसरण के केन्द्रीय सरकार एतद्वारा उपभूत गोलपारा, धुबरी असम को कथित अधिनियम के अन्तर्गत निम्नलिखित तालिका के अनुसार सक्षम प्राधिकारी के कार्य करने के लिए तत्काल प्राधिकृत करती है:—

तालिका

प्राधिकारी का नाम	पता	प्रादेशिक अधिकार क्षेत्र
उपभूत गोलपारा धुबरी असम	उपभूत गोलपारा धुबरी, असम	राज्य में गोलपारा जिला

[संख्या: आई०एस०-12017/2/73-लेवर तथा लेजिस०]

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 20th December, 1973

S.O. 28.—In pursuance of clause (a) of Section 2 of the Petroleum Pipelines Acquisition of Right of User in Land) Act, 1962 (No. 50 of 1962), the Central Government hereby authorises the Deputy Commissioner, Gopalpara, Dhubri Assam, to perform the functions of the competent authority with immediate effect under the said Act as in the Schedule given below:—

SCHEDULE

Name of the authority	Address	Territorial jurisdiction
Deputy Commissioner, Gopalpara, Dhubri, Assam 666	Deputy Commissioner, Gopalpara, Dhubri, Assam	District Goalpara in Assam

[No.IS-12017/2/73-L&L]

(पेट्रोलियम विभाग)

नई दिल्ली, 27 दिसम्बर, 1973

का. आ. 29.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में बी० ई० एस० से जी० जी० एस०-3 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना प्राथम्य एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवन् कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी—तेल तथा प्राकृतिक गैस प्रायोग निर्माण और देखभाल प्रभाग मकरपुरा रोड बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नई दिल्ली, 29 दिसम्बर, 1973

बी ई एक्स से जी जी एस-3 तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात जिला : केरा तालुका : मासार

गांव	सर्वेक्षण संख्या	हेक्टर	एअरई	पी० एअरई
गोबलज	419/1	0	04	54
	420	0	10	00
	418/1	0	05	31
	417	0	04	80
	406/2	0	03	04
	407/1	0	02	52
	407/2	0	06	57
	409/1	0	05	06
	408	0	19	20
	397/5	0	05	57
	397/6	0	03	29
पनसोली	238+239	0	13	65

[सं० आई एस 12016/7/73-एल एण्ड एल]

(Department of Petroleum)

New Delhi, the 27th December, 1973

S. O. 29.—WHEREAS it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from BEX to GGS3 in Gujarat State, Pipelines should be laid by the Oil & Natural Gas Commission ;

AND WHEREAS it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (i) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the Right of User therein ;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Oil and Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9 ;

AND EVERY PERSON making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

FOR LAYING PIPELINE FROM BEX TO GGS 3

STATE : GUJARAT DISTRICT : KAIRAJ TALUKA : MATAR

Village	Survey No.	Hectare	Are	P.Are.
GOBLAJ	419/1	0	04	54
	420	0	10	00
	418/1	0	05	31
	417	0	04	80
	406/2	0	03	04
	407/1	0	02	52
	407/2	0	06	57
	409/1	0	05	06
	408	0	19	20
	397/5	0	05	57
	397/6	0	03	29
PANSOLI	238+239	0	13	65

[No. IS—12016/7/73—L & L]

का० घा० 30.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सी टी एफ कलोल से जी जी एस/सी टी एफ नार्थ काडी तक पेट्रोलियम के परिवहन के लिए पाइप-लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बरौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

सी० टी० एफ० कलोल से जी० जी० एस०/सी० टी० एफ० नार्थ काडी तक
पाइप लाइन बिछाने के लिए

राज्य : गुजरात		जिला : महसना		
गांव	सर्वेक्षण संख्या	हेक्टर	एअरई	पी एअरई
तालुका : कलोल				
सेज	1191/2	0	3	75
तालुका : काडी				
लुनासन	461	0	1	50
डिगडी	147/1	0	0	80
सूरज	696	0	16	80
	695	0	17	55
	690	0	12	65
	487/4	0	00	18
	507/1/पी	0	07	95
	697	0	15	75
	कार्ट ट्रैक	0	01	25
करन नगर	264	0	10	35
	192	0	08	55
एकुन्डा	994/1	0	07	50
बालसन	कार्ट ट्रैक	0	1	25
	75/2	0	22	50
	75/1	0	14	10
	74	0	19	75
	73/पी	0	15	80
	73/पी	0	15	80
	73/पी	0	12	00
	73/पी	0	7	00
	72/पी	0	19	23

गांव	सर्वेक्षण संख्या	हेक्टर	एयारई.	बी. एयारई	गांव	सर्वेक्षण संख्या	हेक्टर	एयारई	बी. एयारई
	72/पी	0	00	52		213	0	7	80
	71	0	29	25		205/पी	0	7	05
	कार्ट ट्रैक	0	1	50		205/पी	0	30	90
	93	0	18	25		कार्ट ट्रैक	0	00	90
	तानुका : कलील					206	0	00	18
	ब्लाक नं०					194	0	3	30
पियज	454/पी	0	4	50		192	0	6	00
	454/पी	0	6	00		191/पी	0	17	70
	453	0	19	80		191/पी	0	3	30
	452/पी	0	1	65					
	452/पी	0	15	35					
	449/पी	0	9	00					
	448	0	7	95					
	445	0	33	00					
	449/पी	0	48	75					
	418	0	16	35					
	420	0	00	50					
	419	0	18	30					
	404/पी	0	3	12					
	403	0	9	00					
	404/पी	0	10	05					
	406	0	12	75					
	405	0	2	02					
	368	0	11	25					
	294	0	15	45					
	295/पी	0	13	50					
	295/पी	0	3	90					
	296/पी	0	13	05					
	296/पी	0	1	65					
	296/पी	0	1	65					
	296/पी	0	00	90					
	297/पी	0	2	95					
	297/पी	0	00	35					
	298	0	3	75					
	299	0	1	10					
	300	0	00	18					
	301	0	6	15					
	कार्ट ट्रैक	0	1	65					
	255	0	4	80					
	254/पी	0	6	00					
	254/पी	0	6	45					
	253	0	20	10					
	252	0	9	00					
	251	0	9	90					
	247	0	0	72					
	249	0	0	32					
	248/पी	0	16	05					
	248/पी	0	10	20					
	226	0	12	30					
	227	0	6	00					
	228	0	8	10					
	229	0	4	43					

[सं 2016/4/73—एल एण्ड एल]

New Delhi, the 29th December, 1973

S. O. 30.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petrolum from C.T.F. Kalol to GGS/CTF North Kadi in Gujarat State, Pipelines should be laid by the Oil & Natural Gas Commission ;

AND WHEREAS it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from C.T.F. Kalol to GGS/North Kadi

State: Gujarat,

District : Mehsana

Village	Survey No.	Hectare	Are	P. Are
	Taluka : Kalol			
Saij	1191/2	0	3	75
	Taluka : Kadi			
Lunasan	461	0	1	50
Digdi	147/1	0	0	80
Suraj	696	0	16	80
	695	0	17	55
	690	0	12	65
	487/4	0	00	18
	507/1P	0	07	95
	697	0	15	75
	Cart track	0	01	25
Karan Nagar	264	0	10	35
	192	0	08	55
Adundra	994/1	0	07	50
Chalansan	Cart track	0	1	25
	75/2	0	22	50
	75/1	0	14	10
	74	0	19	75
	73/P	0	15	80
	73/P	0	15	80
	73/P	0	12	00
	73/P	0	7	00
	72/P	0	19	23
	72/P	0	00	52
	71	0	29	25
	Cart track	0	1	50
	93	0	18	25

Village	Survey No.	Hectare	Are	P. Are
Piej	Taluka : Kalol			
	Block No.			
	454/P	0	4	50
	454/P	0	6	00
	453	0	19	80
	452/P	0	1	65
	452/P	0	15	35
	449/P	0	9	00
	448	0	7	95
	445	0	33	00
	449/P	0	48	75
	418	0	16	35
	420	0	00	50
	419	0	18	30
	404/P	0	3	12
	408	0	9	00
	404/P	0	10	65
	406	0	12	75
	405	0	2	02
	368	0	11	25
	294	0	15	45
	295/P	0	13	50
	295/P	0	3	90
	296/P	0	13	05
	296/P	0	1	65
	296/P	0	1	65
	296/P	0	00	90
	297/P	0	2	95
	297/P	0	00	35
	298	0	3	75
	299	0	1	10
	300	0	00	18
	301	0	6	15
	Cart track	0	1	65
	255	0	4	80
	254/P	0	6	00
	254/P	0	6	45
	253	0	20	10
	252	0	9	00
	251	0	9	90
	247	0	0	72
	249	0	0	32
	248/P	0	16	05
	248/P	0	10	20
	226	0	12	30
	227	0	6	00
	228	0	8	10
	229	0	4	43
	213	0	7	80
	205/P	0	7	05
	205/P	0	30	90
	Cart track	0	00	90
	206	0	00	18
	194	0	3	30
	192	0	6	00
	191/P	0	17	70
	191/P	0	3	30

[No. 12016/4/73-L&L]

का० आ० 31.—यतः पेट्रोलियम, पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन तथा खान और धातु मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का०आ० सं० 450 (ई) तारीख 29-8-73 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमिओं के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमिओं में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, प्रत्येक, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमिओं में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, प्रत्येक उप धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमिओं में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयाग में सभी बंधकों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख की तिथि होगा।

अनुसूची

जो जो एस/सी आई एक उत्तर काडो से जी टी एक कलोल तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : महेसाना	तालुका : कलोल
गांव	सर्वेक्षण संख्या	हेक्टर एआरई पी एआरई
सेज	993/पी	0 13 80
	कार्ट ट्रैक	0 02 25
	1182	0 11 15
	1185/1/डी	0 00 60
	1185/2	0 02 80
	1187/1	0 03 45
	1187/2	0 03 15
	1187/3	0 03 73
	1188/2	0 07 95
	1189/1	0 02 25
	1189/3	0 02 40
	1190/2	0 04 50
	1191/1	0 00 60
	1192/1	0 03 30
	1192/2	0 01 60
	1171/4	0 04 80
	1171/2	0 04 50
	1162	0 05 10
	1169/2	0 01 12
	1168/2	0 05 10
	1165	0 14 10
	कार्ट ट्रैक	0 00 45
	1234/6	0 03 00
	1234/3	0 03 90
	1171/1	0 04 20
	1234/5	0 03 00
	1152/1	0 03 45
	1235/2	0 10 95
	1235/1	0 03 60
	1150	0 00 90
	कार्ट ट्रैक	0 00 60
	1236	0 07 20

गांव	सर्वेक्षण संख्या	हैक्टर	एम्पारई	पी एम्पारई	गांव	सर्वेक्षण संख्या	हैक्टर	एम्पारई	पी एम्पारई
	1237/पी	0	00	30		331	0	02	21
	1239	0	10	95		332/पी	0	02	40
	1240	0	03	60		332/पी	0	00	60
	काटे ट्रेक	0	01	35		332/पी	0	06	00
	1425	0	06	60		332/पी	0	06	00
	1403/5	0	04	40		332/पी	0	02	55
	1403/1	0	08	55		333	0	00	64
	1403/3	0	17	40		339	0	04	95
	1401/1	0	04	08		340/पी	0	03	45
	1405/2	0	06	00		340/पी	0	05	10
	1399/1	0	04	05		343	0	00	25
	1405/1/पी	0	07	35		344	0	37	25
	1405/1/पी	0	01	28		काटे ट्रेक	0	00	90
	1406/1	0	01	10		503	0	13	50
	1397	0	15	75		505/पी	0	06	00
	1396/पी	0	06	15		505/पी	0	04	50
	1396/पी	0	06	15		511	0	09	50
	1395/1	0	04	50		512	0	03	20
	1394	0	03	45		513	0	02	10
	1393	0	03	45		514	0	00	60
	1382	0	05	10		515	0	07	50
	1381/2	0	03	30		516	0	09	16
	1380	0	02	70		522	0	02	84
	1379	0	02	55		523	0	06	60
	1378	0	02	85		521	0	00	48
	1377	0	08	46		काटे ट्रेक	0	01	50
	1376	0	21	39		524	0	00	56
	काटे ट्रेक	0	00	60		599	0	11	10
बोरी राना	काटे ट्रेक	0	00	60		600	0	23	40
	225	0	18	75		602/पी	0	06	15
	233	0	13	35		602/पी	0	06	15
	234/पी	0	08	85		620	0	46	45
	234/पी	0	03	90		604	0	00	50
	234/पी	0	03	90		629	0	14	25
	234/पी	0	04	35		630	0	03	45
	235	0	07	50		631	0	03	12
	245	0	08	55		636	0	04	20
	244	0	10	05		635	0	01	60
	243/पी	0	06	75		634	0	05	70
	243/पी	0	07	20		633	0	06	00
	काटे ट्रेक	0	01	05		648	0	09	45
	323/पी	0	08	00		649	0	03	00
	323/पी	0	05	85		650	0	03	15
	323/पी	0	00	75		651	0	03	15
	काटे ट्रेक	0	00	75		663	0	00	80
	324	0	00	50		काटे ट्रेक	0	01	20
	328/पी	0	10	30		662	0	00	08
	328/पी	0	01	50		664	0	06	75
	329	0	07	80		665	0	24	75
						737	0	00	40

गांव	सर्वेक्षण संख्या	हैक्टर	एम्पारई	पी एम्पारई	गांव	सर्वेक्षण संख्या	हैक्टर	एम्पारई	पी० एम्पारई
	736	0	04	95		कार्टे ट्रैक	0	01	65
	740/पी	0	12	75		462	0	08	70
	740/पी	0	12	75		470	0	00	12
	741/पी	0	12	15		471	0	21	90
	कार्टे ट्रैक	0	00	60		472	0	19	50
	742	0	07	35	भवारसन	62	0	00	12
	743	0	10	95		61/4	0	07	38
	759	0	07	65		61/3	0	07	80
	कार्टे ट्रैक		01	05		61/2	0	08	40
	758	0	06	45		61/1	0	08	00
	757/पी	0	08	40		60	0	02	00
	757/पी	0	19	05		59	0	25	85
	767	0	06	30		58	0	10	80
	768	0	12	90		कार्टे ट्रैक	0	00	90
	766	0	11	25		57	0	23	10
	771	0	11	25		54	0	07	35
राम नगर	130	0	03	30		55	0	09	00
	129	0	02	85		45	0	19	50
जिला महासना तालुका काडी						46	0	16	80
लमसन	257	0	10	95		43/1	0	16	20
	258	0	18	00		42	0	26	55
	260	0	11	40		40/6	0	00	32
	269	0	09	00		40/5	0	04	50
	268	0	15	30		40/4	0	12	00
	कार्टे ट्रैक	0	01	80		39/3	0	00	32
	267	0	04	80		39/2	0	07	50
	263	0	12	60		39/1	0	01	12
	307	0	10	35		पी० पी रोड	0	02	25
	264	0	12	30		334/1	0	03	00
	308	0	00	90		334/2	0	00	08
	306	0	18	30		242	0	30	45
	304	0	09	00		246/5	0	06	00
	303	0	00	18		246/4	0	03	90
	302	0	08	82		246/3	0	03	00
	301	0	08	40		246/2	0	02	25
	317	0	02	00		246/1	0	03	30
	318/2	0	13	80		308	0	27	30
	318/1	0	05	55		304	0	14	68
	कार्टे ट्रैक	0	00	90		303	0	00	15
	350	0	24	60		301	0	00	32
	कार्टे ट्रैक	0	01	05		300	0	22	95
	431/पी	0	10	80		298	0	15	30
	431/पी	0	09	60	ग्रनखोल	15	0	06	00
	450/2	0	11	55		16	0	12	00
	449	0	12	00		19	0	01	87
	कार्टे ट्रैक	0	01	20		18	0	10	20
	447/2	0	00	12		केमल	0	03	30
	447/1	0	05	43		23	0	21	90
	446	0	12	00	करण नगर	212	0	06	15
	445	0	02	00		213	0	07	20
	444/1	0	13	05		207/4	0	25	50

गाव	सर्वेक्षण संख्या	हेक्टर	ए. आर. ई.	पी. ए. आर. ई.	गाव	सर्वेक्षण संख्या	हेक्टर	ए. आर. ई.	पी. ए. आर. ई.
	207/3	0	13	80		6/पी	0	12	00
	207/0	0	12	60		1	0	13	50
	207/1	0	10	50		काटे ट्रैक	0	00	60
	235	0	12	00		420	0	12	45
	236	0	13	20		419	0	10	50
	237	0	10	20		418	0	21	15
	238	0	09	00		417	0	14	10
	265	0	04	95		408/पी	0	31	20
	201	0	07	80		407	0	06	30
	191	0	01	20		408/पी	0	15	60
	193	0	30	45		373	0	12	00
	195	0	11	55		375	0	11	10
	197/1	0	07	95		376	0	13	65
	काटे ट्रैक	0	00	60		372	0	53	55
	176	0	10	05	कुन्डाल	434	0	11	55
	175	0	07	80		435	0	09	00
	174	0	03	30		436	0	03	00
	171	0	26	25		431	0	12	00
	170	0	04	60		438/1	0	17	40
	168	0	00	20		446	0	17	25
	157	0	12	00		459	0	06	60
	158	0	09	15		460	0	12	15
	159	0	08	10		456	0	03	75
	160/1	0	06	60		455	0	07	95
	160	0	02	40		454	0	06	45
	162/पी	0	02	40		453	0	04	50
	162/पी	0	04	95		काटे ट्रैक	0	01	05
	162/पी	0	04	20		544	0	06	60
	162/पी	0	04	65		545/पी	0	04	50
कुंधासन	206	0	18	00		545/पी	0	00	96
	207	0	10	05		555	0	04	80
	208	0	14	40		556	0	06	90
	209/1	0	08	10		557	0	00	96
	209/2	0	06	60		554	0	03	30
	211/पी	0	10	35		552/1	0	06	00
	211/पी	0	08	85		552/2	0	06	00
	214	0	11	85		551/पी	0	00	15
	काटे ट्रैक	0	03	75		550	0	12	30
	56/1	0	07	20		कनाल	0	01	39
	56/2	0	03	00		592	0	00	26
	44	0	37	80		580/1	0	01	12
	31/1	0	05	70		591/3	0	09	75
	काटे ट्रैक	0	00	75		591/2	0	01	20
	29	0	07	50		776/1-2	0	07	80
	30	0	05	35		645/1	0	05	55
	27	0	12	00		646/1	0	00	50
	27/1	0	03	20		776/1	0	09	00
	काटे ट्रैक	0	01	50		775	0	03	75
	8	0	06	60		काटे ट्रैक	0	02	55
	7	0	09	00		777	0	14	55
	6/पी	0	11	70					

गांव	सर्वेक्षण संख्या	हैक्टर	ए. आर. ई.	पी. ए. आर. ई.	गांव	सर्वेक्षण संख्या	हैक्टर	ए. आर. ई.	पी. ए. आर. ई.
कड़ी	778/1	0	04	80	भुलुआ	206	0	36	20
	778/2	0	05	25		205	0	12	30
	779	0	03	70		1005	0	27	75
	780	0	45	70		1004	0	09	30
	781	0	06	75		1002	0	08	40
	787	0	28	20		1001	0	08	25
	790	0	27	15		कार्ट ट्रैक	0	00	45
	794	0	08	85		994/2	0	00	05
	793	0	16	20		993	0	10	05
	222	0	16	20		992	0	07	05
	221/2	0	00	17		कार्ट ट्रैक	0	00	75
	कार्ट ट्रैक	0	03	45		904	0	00	37
	213	0	35	30		903	0	14	63
	203	0	26	20		900	0	09	45
	202	0	10	35		897	0	06	90
	कार्ट ट्रैक	0	01	20		892	0	06	30
	6/1	0	01	80		893	0	06	00
	6/6	0	00	72		कार्ट ट्रैक	0	00	45
	6/5	0	12	00		885	0	09	00
	6/4	0	00	06		883	0	04	35
	कार्ट ट्रैक	0	00	75		882	0	04	35
	7	0	14	25		881	0	05	85
	कार्ट ट्रैक	0	02	25		880	0	05	55
	17/7	0	24	00		877	0	06	00
	17/8	0	18	00		876/पी	0	05	25
	2095	0	07	20		876/पी	0	05	85
	2091	0	16	95		876/पी	0	06	00
	2093	0	27	45		872/पी	0	17	25
	1980	0	03	75		872/पी	0	06	30
	1978	0	04	25		863	0	25	95
	1977	0	09	00		861	0	18	75
	कार्ट ट्रैक	0	02	85		कार्ट ट्रैक	0	04	50
	कार्ट ट्रैक	0	00	60		606/पी	0	08	10
	1976	0	24	00		606/पी	0	31	35
	1973	0	22	50		606/पी	0	37	65
	2010	0	27	48		588/पी	0	07	05
	2008	0	00	15		588/पी	0	09	60
	2007	0	07	62		588	0	09	00
	1998/4	0	17	25		588/पी	0	11	10
	2001/पी	0	04	80		588/पी	0	13	50
	2001/पी	0	05	10	नागगसन	69	0	22	95
	2001/पी	0	08	10		68	0	12	45
	कार्ट ट्रैक	0	02	25		67	0	04	80
	2029	0	24	90		66	0	12	15
	कार्ट ट्रैक	0	00	75		58	0	07	95
	2028	0	10	05		कार्ट ट्रैक	0	00	60
लक्ष्मीपुरा	237	0	17	40		57/2	0	04	65
	241	0	18	30		57	0	00	20
	212	0	14	15		34	0	01	80
	243	0	05	95		48/पी	0	09	15
	कार्ट ट्रैक	0	08	45					

गांव	सर्वेक्षण संख्या	हेक्टर	ए.आर. ई	पी.ए. आर.ई	गांव	सर्वेक्षण संख्या	हेक्टर	ए.आर. ई	पी. ए.आर.ई
	47	0	19	05		600/1	0	06	00
	36	0	13	50		596/3	0	06	90
	37	0	10	05		596/2	0	08	10
	25	0	30	65		596/1	0	07	20
	26	0	01	60		कार्टे ट्रैक	0	00	75
विशालपुर	18	0	32	40		595	0	08	25
	24	0	17	25		581	0	05	40
	23	0	00	20		582	0	14	10
	26	0	11	55		579	0	15	75
बिगडी	148	0	17	55		578	0	17	10
	147/2	0	23	80		569/1	0	00	95
	144	0	19	65		569/2	0	03	15
	140/पी	0	11	40		570	0	18	75
	140/पी०	0	10	20		571	0	00	50
	140/पी०	0	09	00		कार्टे ट्रैक	0	05	40
	141/पी०	0	03	88		722/पी०	0	10	20
	142	0	08	00		722/पी०	0	00	36
	कार्टे ट्रैक	0	00	60		719	0	08	10
	85	0	17	85		720	0	07	70
	83/2	0	16	35		717	0	03	45
	80	0	14	70		713	0	20	00
	कार्टे ट्रैक	0	00	75		711	0	03	30
	79	0	18	00		709	0	15	60
	78	0	07	50		708	0	13	05
	77	0	02	40		कार्टे ट्रैक	0	00	90
	21/पी०	0	02	40		698	0	07	95
	22	0	00	20					
	13	0	54	45					
	12	0	11	70					
सूरज	491	0	01	20					
	492	0	07	50					
	493/3	0	00	50					
	493/1	0	12	40					
	487/3	0	08	10					
	487/4	0	00	18					
	487/1	0	06	25					
	488/1	0	00	50					
	486/2	0	09	90					
	486/1	0	05	25					
	505/2	0	05	55					
	505/1	0	05	28					
	504/पी०	0	00	12					
	506/2	0	04	35					
	506/1	0	17	85					
	507/1/पी०	0	06	45					
	कार्टे ट्रैक	0	00	75					
	601/1	0	07	20					
	601/2	0	06	30					
	600/2/पी०/पी०	0	03	90					
	600/2/पी०/पी०	0	04	20					

भारत सरकार पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना संख्या 120/16/4/73 एल० एंड एल०, दिनांक 29 अगस्त, 1973, जो कि का० आ० सं० 540 (ई०) के अन्तर्गत प्रकाशित हुआ था, के साथ संलग्न सूची में उल्लिखित शेष भूमि के उपयोग सम्बन्धी अधिकार का अर्जन का एतद्वारा परित्याग किया जाता है तथा भारत सरकार, सहर्ष यह निवेदन देती है कि कथित शेष भूमि के सम्बन्ध में कथित अधिसूचना को रद्द किया जाये।

[सं० 12016/4/73 एल एण्ड एल/1]

बी० आर० भल्ला, अवर सचिव

S.O. 31—Whereas by a notification of the Govt. of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S. O. No. 450(E) dated 29-8-73 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

For laying pipeline from GGS/CTF north kadi to C.T.F. Kalol

State : Gujarat Distt : Mehsana Taluka : Kalol

Village	Survey No.	Hectare	Are	P. Are
Saij	993/P	0	13	80
	Cart track	0	02	25
	1182	0	11	15
	1185/1/D	0	00	60
	1185/2	0	02	80
	1187/1	0	03	45
	1187/2	0	03	15
	1187/3	0	03	75
	1188/2	0	07	95
	1189/1	0	02	25
	1189/3	0	02	40
	1190/2	0	04	50
	1191/1	0	00	60
	1192/1	0	03	30
	1192/2	0	01	60
	1171/4	0	04	80
	1171/2	0	04	50
	1162	0	05	10
	1169/2	0	01	12
	1168/2	0	05	10
	1165	0	14	10
	Cart track	0	00	45
	1234/6	0	03	00
	1234/3	0	03	90
	1171/1	0	04	20
	1234/5	0	03	00
	1152/1	0	03	45
	1235/2	0	10	95
	1235/1	0	03	60
	1150	0	00	90
	Cart track	0	00	60
	1236	0	07	20
	1237/P	0	00	30
	1239	0	10	95
	1240	0	03	60
	Cart track	0	01	35
	1425	0	06	60
	1403/5	0	04	40
	1403/1	0	08	55
	1403/3	0	17	40
	1401/1	0	04	08
	1405/2	0	06	00
	1399/1	0	04	05
	1405/1/P	0	07	35
	1405/1/P	0	01	28
	1406/1	0	01	10
	1397	0	15	75
	1396/P	0	06	15
	1396/P	0	06	15
	1395/1	0	04	50
	1394	0	03	45

Village	Survey No.	Hectare	Are	P. Are
Borisana	1393	0	03	45
	1382	0	05	10
	1381/2	0	03	30
	1380	0	02	70
	1379	0	02	55
	1378	0	02	85
	1377	0	08	46
	1376	0	21	39
	Cart track	0	00	60
	Cart track	0	00	60
	225	0	18	75
	233	0	13	35
	234/P	0	08	85
	234/P	0	03	90
	234/P	0	03	90
	234/P	0	04	35
	235	0	07	50
	245	0	08	55
	244	0	10	05
	243/P	0	06	75
	243/P	0	07	20
	Cart track	0	01	05
	323/P	0	06	00
	223/P	0	05	85
	323/P	0	00	75
	Cart track	0	00	75
	324	0	00	50
	328/P	0	10	30
	328/P	0	01	50
	329	0	07	80
	331	0	02	21
	332/P	0	02	40
	332/P	0	00	60
	332/P	0	06	00
	332/P	0	06	00
	332/P	0	02	55
	333	0	00	64
	339	0	04	95
	340/P	0	03	45
	340/P	0	05	10
	343	0	00	25
	344	0	37	25
	Cart track	0	00	90
	503	0	13	50
	505/P	0	06	00
	505/P	0	04	50
	511	0	09	50
	512	0	03	20
	513	0	02	10
	514	0	00	60
	515	0	07	50
	516	0	09	16
	522	0	02	84
	523	0	06	60
	521	0	00	48
	Cart track	0	01	50
	524	0	00	56
	599	0	11	10
	600	0	23	40
	602/P	0	06	15

Village	Survey No.	Hectare	Are	P. Are	Village	Survey No.	Hectare	Are	P. Are
	602/P	0	06	15		Cart track	0	01	05
	620	0	46	45		431/P	0	10	80
	604	0	00	50		431/P	0	09	60
	604	0	00	50		450/2	0	11	55
	629	0	14	25		449	0	12	00
	630	0	03	45		Cart track	0	01	20
	631	0	03	12		447/2	0	00	12
	636	0	04	20		447/1	0	05	43
	635	0	01	60		446	0	12	00
	634	0	05	70		445	0	02	00
	633	0	06	00		444/1	0	13	05
	648	0	09	45		Cart track	0	01	65
	649	0	03	00		462	0	08	70
	650	0	03	15		470	0	00	12
	651	0	03	15		471	0	21	90
	663	0	00	80		472	0	19	50
	Cart track	0	01	20	ACHARASAN....	62	0	00	12
	662	0	00	08		61/4	0	07	38
	664	0	06	75		61/3	0	07	80
	665	0	24	75		61/2	0	08	40
	737	0	00	40		61/1	0	08	00
	736	0	04	95		60	0	02	00
	740/P	0	12	75		59	0	25	85
	740/P	0	12	75		58	0	10	80
	741	0	12	15		Cart track	0	00	90
	Cart track	0	00	60		57	0	23	10
	742	0	07	35		54	0	07	35
	743	0	10	95		55	0	09	00
	759	0	07	65		45	0	19	50
	Cart track	0	01	05		46	0	16	80
	758	0	06	45		43/1	0	16	20
	757/P	0	08	40		42	0	26	55
	757/P	0	19	05		40/6	0	00	32
	767	0	06	30		40/5	0	04	50
	768	0	12	90		40/4	0	12	00
	766	0	11	25		39/3	0	00	32
	771	0	11	25		39/2	0	07	50
RAMNAGAR....	130	0	03	30		39/1	0	01	12
	129	0	02	85		V.P. Road	0	02	25
	Distt : Mehsana Taluka : Kadi					334/1	0	03	00
LUMASAN	257	0	10	95		334/2	0	00	08
	258	0	18	00		242	0	30	45
	260	0	11	40		246/5	0	06	00
	269	0	09	00		246/4	0	03	90
	268	0	15	30		246/3	0	03	00
	Cart track	0	01	80		246/2	0	02	25
	267	0	04	80		246/1	0	03	30
	263	0	12	60		308	0	27	30
	307	0	10	35		304	0	14	68
	264	0	12	30		303	0	00	15
	308	0	00	90		301	0	00	32
	306	0	18	30		300	0	22	95
	304	0	09	00		298	0	15	30
	303	0	00	18	ANKHOL	15	0	06	00
	302	0	08	82		16	0	12	00
	301	0	08	40		19	0	01	87
	317	0	02	00		18	0	10	20
	318/2	0	13	85		Canal	0	03	30
	318/1	0	05	55		23	0	21	90
	Cart track	0	00	90	KARAN NAGAR	212	0	06	15
	350	0	24	60		213	0	07	20

Village	Survey No.	Hactare	Are	P. Are	Village	Survey No.	Hectare	Are	P. Are
BUDHASAN	207/4	0	25	50	KUNDAL	417	0	14	10
	207/3	0	13	80		408/P	0	31	20
	207/2	0	12	60		407	0	06	30
	207/1	0	10	50		408/P	0	15	60
	235	0	12	00		373	0	12	00
	236	0	13	20		375	0	11	10
	237	0	10	20		376	0	13	65
	238	0	09	00		372	0	53	55
	264	0	10	35		434	0	11	55
	265	0	04	95		435	0	09	00
	201	0	07	80		436	0	03	00
	191	0	01	20		431	0	12	00
	192	0	08	55		438/1	0	17	40
	193	0	30	45		446	0	17	25
	195	0	11	55		459	0	06	60
	197/1	0	07	95		460	0	12	15
	Cart track	0	00	60		456	0	03	75
	176	0	10	05		455	0	07	95
	175	0	07	80		454	0	06	45
	174	0	03	30		453	0	04	50
	171	0	26	25		Cart track	0	01	05
	170	0	04	60		544	0	06	60
	168	0	00	20		545/P	0	04	50
	157	0	12	00		545/P	0	04	50
	158	0	09	15		540/P	0	00	96
	159	0	08	10		555	0	04	80
	160/1	0	06	60		556	0	06	90
	160	0	02	40		557	0	00	96
	162/P	0	02	40		554	0	03	30
	162/P	0	04	95		552/1	0	06	00
	162/P	0	04	20		552/2	0	06	00
	162/P	0	04	65		551/B	0	00	15
	206	0	18	00		550	0	12	30
	207	0	10	05		Canal	0	04	39
	208	0	14	40		592	0	00	26
	209/1	0	08	10		580/1	0	01	12
	209/2	0	06	60		591/3	0	09	75
	211/P	0	10	35		591/2	0	01	20
	211/P	0	08	85		776/1-2	0	07	80
	214	0	11	85		645/1	0	05	55
	Cart track	0	03	75		646/1	0	00	50
	56/1	0	07	20		776/1	0	09	00
	56/2	0	03	00		775	0	03	75
	44	0	37	80		Cart track	0	02	55
	31/1	0	05	70		777	01	14	55
	Cart track	0	00	75		778/1	0	04	80
	29	0	07	50		778/2	0	05	25
	30	0	05	55		779	0	03	70
	27	0	12	00		780	0	45	70
	27/1	0	03	20		781	0	06	75
	Cart track	0	01	50		787	0	28	20
	8	0	06	60	KADI	790	0	27	15
	7	0	09	00		794	0	08	85
	6/P	0	11	70		793	0	16	20
	6/P	0	12	00		222	0	16	20
	1	0	13	50		221/2	0	00	17
	Cart track	0	00	60		Cart track	0	03	45
	420	0	12	45		213	0	35	30
	419	0	10	50		203	0	26	20
	418	0	21	15		202	0	10	35

Village	Survey No.	Hectare	Are	P. Are	Village	Survey No.	Hectare	Are	P. Ar ^e
	Cart track	0	01	20		876/P	0	05	25
	6/1	0	01	8		876/P	0	05	85
	6/6	0	00	72		876/P	0	06	00
	6/5	0	12	00		872/P	0	17	25
	6/4	0	00	06		872/P	0	06	30
	Cart track	0	00	75		863	0	25	95
	7	0	14	25		861	0	18	75
	Cart track	0	02	25		Cart Track	0	04	50
	17/7	0	24	00		606/P	0	08	10
	17/8	0	18	00		606/P	0	31	35
	2095	0	07	20		606/P	0	37	65
	2091	0	16	95		586/P	0	07	05
	2093	0	27	45		586/P	0	09	60
	1980	0	03	75		588	0	09	00
	1978	0	04	25		589/P	0	11	10
	1977	0	09	00		589/P	0	13	50
	Cart track	0	02	85	NAGARASAN	69	0	22	95
	Cart track	0	00	60		68	0	12	45
	1976	0	24	00		67	0	04	80
	1973	0	22	50		66	0	12	15
	2010	0	27	48		58	0	07	95
	2008	0	00	15		Cart track	0	00	60
	2007	0	07	62		57/2	0	04	65
	1998/4	0	17	25		57	0	00	20
	2001/P	0	04	80		34	0	01	80
	2001/P	0	05	10		48/P	0	09	15
	2001/P	0	08	10		47	0	19	05
	Cart track	0	02	25		36	0	13	50
	2029	0	24	90		37	0	10	05
	Cart track	0	00	75		25	0	30	65
	2028	0	10	05		26	0	01	60
LAXMIPURA	237	0	17	40	VISALPURA	18	0	32	40
	241	0	18	30		24	0	17	25
	242	0	14	15		23	0	00	20
	243	0	05	95		26	0	11	55
	Cart track	0	08	45	DIGADI	148	0	17	55
	206	0	36	20		147/2	0	24	60
	205	0	12	30		144	0	19	65
ADUNDRA	1005	0	27	75		140/P	0	11	40
	1004	0	09	30		140/P	0	10	20
	1002	0	08	40		141/P	0	09	00
	1001	0	08	25		141/P	0	03	88
	Cart track	0	00	45		142	0	08	00
	994/1	0	07	50		Cart track	0	00	60
	994/2	0	00	05		85	0	17	85
	993	0	10	05		83/2	0	16	35
	992	0	07	05		80	0	14	70
	Cart Track	0	00	75		Cart track	0	00	75
	904	0	00	37		79	0	18	00
	903	0	14	63		78	0	07	50
	900	0	09	45		77	0	02	40
	897	0	06	90		21/P	0	02	40
	892	0	06	30		22	0	00	20
	893	0	06	00		13	0	54	45
	Cart track	0	00	45		12	0	11	70
	885	0	09	00	SURAJ	491	0	01	20
	883	0	04	35		492	0	07	50
	882	0	04	35		493/3	0	00	50
	881	0	05	85		493/1	0	12	40
	880	0	05	55		487/3	0	08	1 0
	877	0	06	00		487/1	0	06	25

Village	Survey No.	Hec-tare	Are	P. Are
	488/1	0	00	50
	486/2	0	09	90
	486/1	0	05	25
	505/2	0	05	55
	505/1	0	05	28
	504/P	0	00	12
	506/2	0	04	35
	506/1	0	17	85
	507/1/P	0	06	45
	507/1/P	0	07	95
	Cart track	0	00	75
	601/1	0	07	20
	601/2	0	06	30
	600/2/B/P	0	03	90
	600/2/B/P	0	04	20
	600/1	0	06	00
	596/3	0	06	90
	596/2	0	08	10
	596/1	0	07	20
	Cart track	0	00	75
	595	0	08	25
	581	0	05	40
	582	0	14	10
	579	0	15	75
	578	0	17	10
	569/1	0	00	95
	569/2	0	03	15
	570	0	18	75
	571	0	00	50
	Cart track	0	05	40
	722/P	0	10	20
	722/P	0	00	36
	719	0	08	10
	720	0	07	70
	717	0	03	45
	713	0	20	00
	711	0	03	30
	709	0	15	60
	708	0	13	05
	Cart track	0	00	90
	698	0	07	95
	697	0	5	35
	Cart track	0	00	90

The acquisition of Right of User of the remaining lands mentioned in the schedule annexed to the Government of India (Ministry of Petroleum & Chemicals) (Department of Petroleum) Notification No. 12016/4/73-L&L dated 29th August, 1973, published under S.O. No. 540(E) is hereby abandoned and Government of India is pleased to direct that the said notification shall be cancelled in respect of the said remaining lands.

[No. 12016/4/73-L&L/I]
B. R. BHALLA, Under Secy.

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 15 दिसम्बर, 1973

का. आ. 32.—खैराती विन्यास अधिनियम, 1890 के विषय में।
लेडी हार्डिंग महिला और बालक अस्पताल, दिल्ली के विषय में।

लेडी हार्डिंग महिला और बालक अस्पताल दिल्ली निधि के आपेदन पर तथा उसके प्रशासन बोर्ड की सहमति से और खैराती विन्यास अधिनियम 1890 (1890 का 6) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह आदेश देती है कि 21,945 रुपये (इक्कीस हजार नौ सौ और पैंतालीस रुपये केवल) के मूल्य पर 6 प्रतिशत पश्चिम बंगाल राज्य विद्युत बोर्ड बन्धपत्र 1982 में विनिर्दिष्ट 22,000 रुपये में से 85 रुपये (पच्चीस रुपये) की राशि अविनिर्दिष्ट पूंजी शेष के रूप में प्रिंसिपल लेडी हार्डिंग मेडिकल कालेज और अस्पताल नई दिल्ली को लौटा दी जाए।

[सं. वी. 21020/12/72 एम. ई. (यू. जी.)]

MINISTRY OF HEALTH AND FAMILY PLANNING (Department of Health)

New Delhi, the 15th December, 1973

S.O. 32.—In the matter of the Charitable Endowments Act, 1890. 'In the matter of the Lady Hardinge Hospital for Women and Children, Delhi, Fund'.

On the application of and with the concurrence of the Board of Administration the Lady Hardinge Hospital for Women and Children, Delhi Fund and in exercise of the powers conferred on it by sub-section (2) Section 10 of the Charitable Endowments Act, 1890, (6 of 1890) the Central Government both hereby order that a sum of Rs. 55 (Rupees fifty five) shall be refunded to the Principal, Lady Hardinge Medical College & Hospital, New Delhi, as being uninvested, Capital balance out of Rs. 22,000 which has been invested in the 6 per cent West Bengal State Electricity Board Bonds 1982, at a cost of Rs. 21,945 (Rupees twenty one thousand, nine hundred and fortyfive only).

[No. V. 21020/12/72-ME(UG)]

का. आ. 33.—इस मंत्रालय की दिनांक 28 नवम्बर, 1972 की अधिसूचना सं. वी. 21020/12/72-एम. ई. (यू. जी.) और 15 जनवरी, 1973 की अधिसूचना सं. वी. 21020/12/72 एम. ई. (यू. जी.) एतद्वारा रद्द की जाती हैं।

[सं. वी. 21020/12/72 एम. ई. (यू. जी.)]

कुमारी सती बालकृष्णा, अवर सचिव

S.O. 33.—This Ministry's notifications No. V. 21020/12/72-ME(UG), dated the 28th November, 1972 and No. V. 21020/12/72-ME(UG), dated the 15th January, 1973, are hereby cancelled.

[No. V. 21020/12/72-ME(UG)]

KUM. SATHI BALAKRISHNA, Under Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 24 दिसम्बर, 1973

का. आ. 34.—यतः 20 दिसम्बर, 1973 को, लुफ्थांजा एयरलाइन्स का बोइंग 707 विमान, जो बेंकाक से एक अनुसूचित उड़ान पर था, पालम विमानक्षेत्र पर उतरते समय क्रैश हो गया जिसके परिणामस्वरूप कैप्टन तथा 6 यात्री घायल हो गए तथा विमान नष्ट हो गया ;

और यतः केन्द्रीय सरकार अनुभव करती है कि उक्त दुर्घटना की परिस्थितियों की औपचारिक जांच करना वांछनीय है ;

अतः, अब, वायुयान नियम, 1937 के नियम 75 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निवेश करती है कि उक्त दुर्घटना की औपचारिक जांच की जाए।

केन्द्रीय सरकार उक्त जांच करने के लिए दिल्ली उच्च न्यायालय के श्री जस्टिस एम. रंगाराजन को नियुक्त करती है।

केन्द्रीय सरकार उक्त जांच के लिए अरोसरों के रूप में कार्य करने के लिए निम्नलिखित को भी नियुक्त करती है :—

(1) ग्रुप कैप्टन एस. दास शर्मा : भारतीय वायु सेना (मॉसम-विज्ञान शाखा) (संघान्वित)

(2) कैप्टन एस. वी. चटर्जी : एयर इण्डिया, बम्बई।

जांच अदालत से आशा की जाती है कि वह अपना जांच-कार्य पूरा कर के 28 फरवरी, 1974 तक केन्द्रीय सरकार को अपनी रिपोर्ट प्रस्तुत कर देंगी।

[फा. सं. ए. बी. 15014/10/73-ए]

सुरेन्द्र नाथ कॉल, उप-सचिव

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 24th December, 1973

S.O. 34.—Whereas on the 20th December 1973, a Lufthansa Airlines' Boeing 707 aircraft, which was on a scheduled flight from Bangkok, crashed while landing at Palam Airport, resulting in injuries to the Captain and 6 passengers and destruction of the aircraft;

And whereas it appears to the Central Government that it is expedient to hold formal investigation into the circumstances of the said accident;

Now, therefore, in exercise of the powers conferred by rule 75 of the Aircraft Rules, 1937, the Central Government hereby directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri Justice S. Rangarajan of the Delhi High Court to hold the said investigation.

The Central Government is also pleased to appoint—

(i) Group Captain S. Das Sarma—IAF (Met. Branch) (Retired)

(ii) Captain S. B. Chatterjee—Air India, Bombay, to act as Assessors to the said investigation.

The Court of Inquiry will be expected to complete its inquiry and make its report to the Central Government by 28th February, 1974.

[F. No. AV. 15014/10/73-A]

S. N. KAUL, Dy. Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 21 दिसम्बर, 1973

फा. आ. 35.—गर्भापात चिकित्सा नियम, 1972 के नियम 3 के उपनियम (8) के परन्तुक की धारा (2) के साथ पठित उपनियम (1) की धारा (क) और उपनियम (2) के अनुपालन में, केन्द्रीय सरकार एतद्वारा रेलवे मुख्यालय अस्पताल, गार्डनरीच, कलकत्ता से सम्बद्ध स्त्री-रोग विज्ञान के अवैतनिक परामर्शदाता डा. जी. सी. नन्दी के त्यागपत्र के कारण खाली हुए पद पर 1 नवम्बर, 1973 से रेलवे मुख्यालय अस्पताल, गार्डनरीच के डा. (श्रीमती) एस. गुप्ता,

सहायक चिकित्सा अधिकारी को सदस्य, स्त्री-रोग विज्ञान के रूप में नामांकित करती है और भारत सरकार, रेल मंत्रालय (रेलवे बोर्ड) की 2 मई, 1972 की अधिसूचना संख्या 70/एच (एफ. पी.)/41/2 में आगे निम्नलिखित संशोधन करती है। उक्त अधिसूचना में 'दक्षिण पूर्वी क्षेत्र' शीर्षक के अन्तर्गत मद 4 और इसके गामन किये गये इन्दराज के स्थान पर निम्नलिखित मद और इन्दराज को प्रतिस्थापित किया जायेगा, अर्थात् :—

"4. डा. (श्रीमती) एस. गुप्ता, सहायक चिकित्सा अधिकारी, रेलवे मुख्यालय अस्पताल, गार्डनरीच, कलकत्ता-सदस्य, स्त्री-रोग विज्ञान।"

[सं. 72/एच (एफ. पी.)/42/9]

अमृत लाल गुप्ता, सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 21st December, 1973

S.O. 35.—In pursuance of Clause (a) of sub-rule (1) and sub-rule (2) read with Clause (ii) of the proviso to sub-rule (8) of rule 3 of the Medical Termination of Pregnancy Rules, 1972, the Central Government hereby nominates with effect from 1st November, 1973, Dr. (Mrs.) S. Gupta, Assistant Medical Officer, Railway Headquarters Hospital, Garden Reach, as Member, Gynaecologist in the vacancy caused by the resignation of Dr. G. C. Nandi, Honorary Consultant in Gynaecology, attached to the Railway Headquarters Hospital, Garden Reach, Calcutta and makes the following further amendment in the notification of the Government of India in the Ministry of Railways (Railway Board) No. 70/H(FP)/41/2 dated the 2nd May, 1972. In the said notification, under the heading 'South Eastern Zone', for item 4 and the entry against it, the following item and entry shall be substituted, namely :

"4. Dr. (Mrs.) S. Gupta, Assistant Medical Officer, Railway Headquarters Hospital, Garden Reach, Calcutta Member, Gynaecologist."

[No. 72/H (FP)/42/9]

A. L. GUPTA, Secy.

सिबाई और विद्युत मंत्रालय

आदेश

नई दिल्ली, 22 दिसम्बर, 1973

फा. आ. 36 :—

केन्द्रीय सरकार भारतीय विजली नियम, 1956 के नियम 7 के उपनियम (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और निम्नलिखित आदेशों को अर्थात् :—

(1) मुख्य आयुक्त, अण्डमान और निकोबार द्वीप समूह अधिसूचना सं. 1 बिजली, आर/7(2)/1 तारीख 12 दिसम्बर, 1957.

(2) दावर और नगर हवेली सरकार आदेश सं. पी. 0 डब्ल्यू. डी. ई एल ई/देरिफ/7 तारीख 3 अप्रैल, 1970 और

(3) पांडिचेरी में फीस के उद्ग्रहण के लिए भारत सरकार के सिबाई और विद्युत मंत्रालय की अधिसूचना सं. ई एल 3-219(2), तारीख 16 अप्रैल, 1958.

को अधिस्तान्त, करने हुए, निदेश देती है कि मंच राज्यक्षेत्रों और केन्द्रीय सरकार के विभिन्न विभागों की वास्तव बिजली निरीक्षक की सेवाओं के लिए फीसों का मापमान इस आदेश की अनुसूची में अधिकृत बरों पर उद्ग्रहीत की जाएगी।

अनुसूची

संघ राज्य क्षेत्रों और केन्द्रीय सरकार के विभागों के विज्ञानी निरीक्षक की सेवाओं के लिए संवेद्य फीस

1. परिभाषाएं : इस अनुसूची में "स्वामी" के अन्तर्गत किसी ऐसे भवन स्थान गाड़ी या जलयान का अधिभागी भी है जिसमें ऊर्जा जनित प्राप्त या प्रयुक्त की जाती हो या की जाने वाली हो।

2. फीसों का उद्ग्रहण : (1) इससे उपाबद्ध अनुसूची के मापमानों "क" से "घ" में वर्णित व्यक्तियों से अधिनियम और तद्धीन बनाए गए नियमों के उपबंधों के अन्तर्गत किए गए प्रारम्भिक या कालिक निरीक्षण परीक्षा या परीक्षण के लिए फीस विनिर्दिष्ट वरों के अनुसार उद्ग्रहीत और वसूल की जाएगी :

परन्तु प्रथम निरीक्षण परीक्षा या परीक्षण की तारीख से बारह मास की अवधि के भीतर किए गए द्वितीय या पञ्चातुर्वर्ती निरीक्षण परीक्षा या परीक्षण की वशा में :

(क) उक्त मापमान "क" से "घ" में विनिर्दिष्ट आधी फीस सब उद्ग्रहीत की जाएगी जब कि निरीक्षक की राय में द्वितीय या पञ्चातुर्वर्ती निरीक्षण, परीक्षा या परीक्षण, निरीक्षक के किन्हीं लिखित अनुदेशों को अनुज्ञप्तिधारी या स्वामी द्वारा नियत समय के भीतर कार्यान्वित करने में उपेक्षा बरतने या असफल होने से या अधिनियम या तद्धीन बनाए गए नियमों के उपबंधों में से किसी के भंग करने से अनिवार्य हो गया हो; और

(ख) उस दशा में कोई फीस उद्ग्रहीत नहीं होगी जबकि द्वितीय या पञ्चातुर्वर्ती निरीक्षण, परीक्षा या परीक्षण इस प्रकार अनिवार्य न हुआ हो,

(ii) कारखानों में प्रतिष्ठानों के प्रारम्भिक या कालिक निरीक्षण, परीक्षा या परीक्षण के लिए फीस अनुसूची के मापमान "ख" के अनुसार उद्ग्रहीत और वसूल की जाएगी।

(iii) अधिनियम और तद्धीन बनाए गए नियमों के उपबंधों के अधीन आकाशी-नारों और केबल्स के प्रारम्भिक निरीक्षण, परीक्षा या परीक्षण के लिए फीस इससे उपाबद्ध अनुसूची के मापमान "छ" से "झ" के अनुसार उद्ग्रहीत की जाएगी और उनमें वर्णित व्यक्तियों से वसूल की जाएगी।

परन्तु यदि निरीक्षक की राय में प्रतिष्ठान का द्वितीय या पञ्चातुर्वर्ती निरीक्षण परीक्षा, या परीक्षण, निरीक्षक के किन्हीं लिखित अनुदेशों को, यथास्थिति विज्ञप्तिधारी, टेलीफोन प्राधिकारी या स्वामी द्वारा नियत समय के भीतर, कार्यान्वित करने में उपेक्षा बरतने या असफल होने से या अधिनियम या तद्धीन बनाए गए नियमों के उपबंधों में से किसी के भंग होने से अनिवार्य हो गया हो तो ऐसे द्वितीय या पञ्चातुर्वर्ती निरीक्षण परीक्षा या परीक्षण के लिए फीस मापमान "छ" से "झ" में विनिर्दिष्ट फीस की आधी होगी।

(iv) सिनेमाटोग्राफ साधित्र और मनोरंजन के अन्य सार्वजनिक स्थानों और उनमें परिवर्धन या परिवर्तन करने के लिए प्रारम्भिक या कालिक निरीक्षण परीक्षा या परीक्षण के लिए वह फीस होगी जो अनुसूची के मापमान "झ" में उपबंधित

(v) किसी उपभोक्ता या जनता के किसी सदस्य द्वारा उन प्रयोजनों से भिन्न जो खण्ड (1) में (iv) में विनिर्दिष्ट है अध्येक्षित किसी निरीक्षक की सेवाओं के लिए फीस इससे उपाबद्ध अनुसूची के मापमान "झ" से "ण" अनुसार उद्ग्रहीत की जाएगी और उनमें वर्णित व्यक्तियों से वसूल की जाएगी।

(vi) निरीक्षक को निर्देशित विवादों के मामलों में फीस अनुसूची के मापमान "त" के अनुसार उद्ग्रहीत की जाएगी और उसमें वर्णित व्यक्तियों से वसूल की जाएगी।

(vii) ऐसे निरीक्षक की सेवाओं के लिए जो मापमान "क" से "त" में विनिर्दिष्टतः उपबंधित नहीं हैं अनुसूची "घ" में यथा उपबंधित फीस उद्ग्रहीत और वसूल की जाएगी।

3. फीसों का संवाय :

(1) इस अनुसूची के अन्तर्गत देय फीस या तो निरीक्षण परीक्षा या परीक्षण के पूर्व या उसी समय केन्द्रीय सरकार प्रतिष्ठानों और संघ राज्यक्षेत्रों के लिए निरीक्षक के पक्ष में ग्राह्य नई दिल्ली स्थित किसी अनुसूचित बैंक के मांगत्रेय ड्राफ्ट भेज कर संवत् की जा सकेगी।

(2) यदि किसी कारणवश फीस निरीक्षण परीक्षा या परीक्षण के पूर्व या उसी समय संदत्त न की गई हो, तो ऐसी फीस ऐसे निरीक्षण, परीक्षा या परीक्षण की तारीख से दस दिन के भीतर संदत्त की जाएगी।

(3) केन्द्रीय सरकार विभाग या संघ राज्यक्षेत्रों के प्रणामन संवाय निरीक्षक के पक्ष में ग्राह्य ज्ञान बैंक के द्वारा प्रेषित कर सकेगा।

(4) निरीक्षण के पूर्व या निरीक्षण के समय या निरीक्षण के दस दिन के भीतर निरीक्षण फीस मांगने का विवेकाधिकार निरीक्षक को होगा।

मापमान 'क'

1. उन मामलों के सिवाय जिनके प्रति इस अनुसूची के मापमान "ख" से "त" विनिर्दिष्टतः निर्दिष्ट है, किसी ऐसे वैद्युत प्रतिष्ठान या साधित्र के लिए जिसमें ऊर्जा उच्च और मध्यम दबाव पर प्रवाय या प्रयुक्त की जाती है या कि जाने वाली हो, नियमों के अनुसरण में किए गए निरीक्षण, परीक्षा या परीक्षण हेतु।

क्षमता	फीस
	रु०
(i) 5 किलोवाट तक जिसमें यह भी सम्मिलित है।	10.00
(ii) 5 किलोवाट से अधिक और 10 किलोवाट तक जिसमें यह भी सम्मिलित है।	15.00
(iii) 10 किलोवाट से अधिक और 25 किलोवाट तक जिसमें यह भी सम्मिलित है।	30.00
(iv) 25 किलोवाट से अधिक और 50 किलोवाट तक जिसमें यह भी सम्मिलित है।	50.00
(v) 50 किलोवाट से अधिक और 100 किलोवाट तक जिसमें यह भी सम्मिलित है।	80.00
(vi) 100 किलोवाट से अधिक और 250 किलोवाट तक जिसमें यह भी सम्मिलित है।	120.00

क्षमता	फीस
(vii) 250 किलोवाट से अधिक और 500 किलोवाट तक जिसमें यह भी सम्मिलित है।	२० 200.00
(viii) 500 किलोवाट से अधिक और 750 किलोवाट तक जिसमें यह भी सम्मिलित है।	300.00
(ix) 750 किलोवाट से अधिक और 1000 किलोवाट तक जिसमें यह भी सम्मिलित है।	400.00
(x) 1000 किलोवाट से अधिक और 5000 किलोवाट तक जिसमें यह भी सम्मिलित है।	600.00
(xi) 5000 किलोवाट से अधिक	1000.00

2. फीस स्वामी या उसके प्राधिकृत अधिकर्ता द्वारा, जिसे ऊर्जा प्रवाह की गई हो या की जानी हो, संदत्त की जाएगी।

मापमान "ख"

किसी बिजली घर या अन्य स्थान के, जिसमें ऊर्जा 100 वाट या अधिक वबाव पर जनित की जाती हो या की जानी हो, निरीक्षण, परीक्षा या परीक्षण के लिए :

संयंत्र प्रतिष्ठान की क्षमता किलोवाट में	फीस
	२०
(i) 25 किलोवाट तक जिसमें यह भी सम्मिलित है	50.00
(ii) 25 किलोवाट से अधिक किन्तु 100 किलोवाट से अनधिक	150.00
(iii) 100 किलोवाट से अधिक किन्तु 500 किलोवाट से अनधिक	300.00
(iv) 500 किलोवाट से अधिक किन्तु 1000 किलोवाट से अनधिक	500.00
(v) 1000 किलोवाट से अधिक किन्तु 10,000 किलोवाट से अनधिक	1000.00
(vi) 10,000 किलोवाट से अधिक किन्तु 50,000 किलोवाट से अनधिक	1500.00
(vii) 50,000 किलोवाट से अधिक किन्तु 200,000 किलोवाट से अनधिक	2000.00
(viii) 200,000 किलोवाट से अधिक किन्तु 500,000 किलोवाट से अनधिक	3000.00
(ix) प्रत्येक अतिरिक्त 100,000 किलोवाट, या उसके भाग के लिए	1000.00

टिप्पण : (1) जहाँ किसी बिजली घर में एक से अधिक जनक युनिट है, वहाँ निरीक्षण फीस एक समय पर निरीक्षण के लिए प्रस्थापित कुल अधिष्ठापित क्षमता के आधार पर देय होगी। उसी परिसर में निरीक्षण के लिए बाह्य में प्रस्थापित नए जनक युनिटों की निरीक्षण फीस अधिष्ठापित संयंत्र के किलोवाट के आधार पर निरीक्षण के लिए विहित फीस के मापमान पर प्रभारित की जाएगी।

(2) फीस उस व्यक्ति या उसके प्राधिकृत अधिकर्ता द्वारा संयंत्र की जाएगी जो ऊर्जा जनित करता है या ऊर्जा जनित करने वाला है।

मापमान 'ग'

(1) किसी प्रापक केन्द्र या किसी अन्य स्थान में, जहाँ ऊर्जा परिवर्तित प्रयुक्त या वितरित की जाती है या की जाने वाली है, किसी ट्रांसफार्मर

(परिणामित्र), परिवोधक, परिवर्तक, बेल्टेड परिणामित्र (ट्रांसफार्मर) के निरीक्षण, परीक्षा या परीक्षा या परीक्षण के लिए।

क्षमता	फीस
	२०
(i) 100 के बी० ए० तक जिसमें यह भी सम्मिलित है।	50.00
(ii) 100 के बी० ए० से अधिक किन्तु 500 के बी० ए० से अनधिक।	100.00
(iii) 500 के बी० ए० से अधिक किन्तु 1,000 के बी० ए० से अनधिक	200.00
(iv) 1,000 के बी० ए० से अधिक किन्तु 5,000 के बी० ए० से अनधिक।	300.00
(v) 5,000 के बी० ए० से अधिक किन्तु 10,000 के बी० ए० से अनधिक।	500.00
(vi) 10,000 के बी० ए० से अधिक किन्तु 20,000 के बी० ए० से अनधिक	750.00
(vii) प्रत्येक अतिरिक्त 10,000 के बी० ए० या उसके भाग के लिए।	100.00

टिप्पण : (1) जहाँ किसी प्रापक केन्द्र या किसी अन्य स्थान में एक से अधिक परिणामित्र (ट्रांसफार्मर), परिवोधक, परिवर्तक, बेल्टेड परिणामित्र (ट्रांसफार्मर), हैं, वहाँ निरीक्षण फीस, निरीक्षण के लिए प्रस्थापित कुल अधिष्ठापित क्षमता के आधार पर संदेय की जाएगी। उसी परिसर में निरीक्षण के लिए बाह्य में प्रस्थापित नए प्रतिष्ठानों की निरीक्षण फीस, के० बी० ए० में अधिष्ठापित क्षमता के आधार पर निरीक्षण के लिए विहित फीस के मापमान पर प्रभारित की जाएगी।

(2) निरीक्षण फीस प्रतिष्ठान के स्वामी या उसके प्राधिकृत अधिकर्ता द्वारा संदेय की जाएगी।

(3) ऊपर उल्लिखित फीसों में सहबद्ध नियंत्रक उपकरणों के अर्थात् सरकिट, ब्रीकर, विच्छेदक, स्विच, ब्रुस-बार्स यंत्र, ट्रांसफार्मर, बैटरी सहायक और मुख्य नियंत्रण पैनल और वायरिंग, निरीक्षण, परीक्षा या परीक्षण की फीस भी सम्मिलित है।

मापमान "घ"

(1) ऐसे स्विचिंग केन्द्र, जिसमें कोई ट्रांसफार्मर, परिवोधक, या परिवर्तक नहीं है परन्तु जिसमें पैनल, विच्छेदक स्विच, ब्रुस-बार्स, बैटरी पैनल, यंत्र ट्रांसफार्मर, वायरिंग सम्मिलित हैं या विद्यमान हैं, के निरीक्षण, परीक्षा या परीक्षण के लिए।

(क) निम्न और मध्यम वोल्टेज स्विचिंग केन्द्र के लिए २०
50.00

(ख) 11 के बी० के दबाव पर, जिसमें यह भी सम्मिलित है, काम करने वाले उच्च वास्टेज स्विचिंग केन्द्र के लिए। 200.00

(ग) 11 के बी० से अधिक दबाव पर काम करने वाले स्विचिंग केन्द्र के लिए। 100.00

(2) किसी उप-केन्द्र या स्विचिंग केन्द्र जिसमें केवल स्विचिंग या नियंत्रण युक्ति सम्मिलित है, के सम्बंध में किसी परिवर्धन या परिवर्तन के लिए संदेय फीस प्रत्येक प्रकार के प्रतिष्ठान के बारे में ऊपर विनिर्दिष्ट फीस की आधी होगी।

(3) फीस स्वामी या उसके प्राधिकृत अधिकर्ता द्वारा संदेय की जाएगी।

सापमान "क"

1. संलग्नक, सिनेमा-यंत्र नियमों के अनुसार गिनेमा-यंत्र उपकरण और किसी सार्वजनिक मनोरंजन स्थान में किसी अन्य विद्युत प्रतिष्ठापन, साधित्र या उपकरण के निरीक्षण, परीक्षा या परीक्षण के लिए :

फीस रु०

- (i) जलता-फिरता सिनेमा में अथवा किसी सिनेमा या थियेटर या खण्ड (iv) में निर्देशित अन्य अस्थायी सार्वजनिक मनोरंजन स्थान में किसी विद्युत प्रतिष्ठापन, साधित्र या उपकरण के प्रारम्भिक निरीक्षण परीक्षा या परीक्षण के लिए । 200
- (ii) खण्ड (i) में निर्देशित सिनेमा या थियेटरों में प्रतिष्ठापन, साधित्र या उपकरण के प्रत्येक पश्चात्-वर्ती वार्षिक निरीक्षण, परीक्षा या परीक्षण के लिए । 100
- (iii) खण्ड (i) में निर्देशित किसी सिनेमा या थियेटर में विद्युत प्रतिष्ठापन के प्राधिकृत परिवर्धन या परिवर्तन के निरीक्षण, परीक्षा या परीक्षण के लिए । 20
- (iv) (क) जलता-फिरता सिनेमा या अन्य अस्थायी सार्वजनिक मनोरंजन-स्थान में किसी विद्युत प्रतिष्ठापन, साधित्र या उपकरण के निरीक्षण परीक्षा या परीक्षण के लिए । 100
- (ख) लोक परिसरों के कालिक या अनिवार्य परिवर्तन के कारण ऐसे सिनेमा या सार्वजनिक मनोरंजन-स्थान में किसी विद्युत प्रतिष्ठापन, साधित्र या उपकरण के प्रत्येक पश्चात्-वर्ती निरीक्षण परीक्षा या परीक्षण के लिए । 50
- (v) जलता-फिरता या अस्थायी सिनेमा या अन्य अस्थायी सार्वजनिक मनोरंजन स्थान में अनिवार्य परिवर्तन के कारण प्रतिष्ठापन, साधित्र या उपकरण को सार्वजनिक विनोद के स्थायी स्थानों के नियमों और विनियमों के अनुरूप बनाने के लिए विद्युत प्रतिष्ठापन, साधित्र या उपकरण के निरीक्षण परीक्षा या परीक्षण के लिए । 100

2. फीस स्वामी द्वारा संचन की जाएगी :

सापमान "ख"

1. (कारखाना अधिनियम, 1948 (1948 का 63) के अर्थ के अन्तर्गत किसी कारखाने के, जिसे किसी अनुसूचित धारी द्वारा ऊर्जा दी जाती है या जिसमें ऊर्जा जनित की जाती है, किसी ऐसे बिजली-घर, प्रापक केन्द्र या स्विचिंग केन्द्र में भिन्न जगहों के लिए सापमान ख में य के अधीन पृथक फीस प्रभारित की जाएगी) किसी विद्युत प्रतिष्ठापन, साधित्र या उपकरण के निरीक्षण, परीक्षा या परीक्षण के लिए :

- (i) ऐसे किसी कारखाने में, जो कारखाना अधिनियम, 1948 (1948 का 63) के अधीन रहते हुए सम्बद्ध क्षेत्र में नहीं आता, किसी विद्युत प्रतिष्ठापन, साधित्र या उपकरण के सम्बन्ध में प्रकाण-व्यय या शक्ति से भिन्न प्रयोजनों के लिए, परन्तु इस मद के अधीन कोई फीस प्रभारित नहीं की जाएगी ।

(ii) शक्ति के लिए सापमान "क" के अनुसार फीस ।

(iii) ऐसे बिजली-घर, प्रापक केन्द्र या स्विचिंग केन्द्र के लिए जिसमें ऊर्जा जनित होती है या होने वाली है या परिवर्तित होती है या होने वाली है या विनर्तित की जाती है या की जाने वाली है ।

2. फीस स्वामी या उसके प्राधिकृत अधिकर्ता द्वारा संचन की जाएगी ।

सापमान "घ"

1. निम्नलिखित के निरीक्षण, परीक्षा या परीक्षण के लिए :

- (i) उच्च वोल्टेज सर्विस कनेक्शन 50.00 रु.
- (ii) मध्यम या निम्न वोल्टेज सर्विस कनेक्शन 10.00 रु०

सापमान "ज"

(1) नई ऐरियल लाइन के प्रत्येक क्रॉसिंग का, जिसमें यह सर्विस लाइन भी सम्मिलित है, जिसमें टेलीग्राफ, टेलीफोन, या अन्य ऐरियल लाइन के ऊपर खुले कण्डक्टर क्रॉसिंग तार भी हैं निरीक्षण, परीक्षा या परीक्षण के लिए ।

प्रत्येक क्रॉसिंग 15.00 रु०

परन्तु जहां एक से अधिक क्रॉसिंग का एक दूसरे के साथ एक किलो मीटर की दूरी के भीतर स्थित होने हुए उसी समय निरीक्षण किया जाता है तो प्रत्येक अतिरिक्त क्रॉसिंग के लिए 10 रु० फीस होंगी ।

(2) इस सापमान के अधीन उद्ग्रहणीय फीस उस समय प्रभारित नहीं की जाएगी जब निरीक्षण ऐसे निरीक्षण के साथ किया गया है जिसके लिए फीस का सापमान "घ" या "झ" के अधीन उद्ग्रहण किया जाता है ।

(3) फीस उस व्यक्ति द्वारा संवल की जाएगी जिसका वाद में लाइन दी गई है ।

सापमान "झ"

(1) उच्च दबाव ऐरियल लाइन या 33 किलो वोल्ट से अधिक दबाव पर कार्यरत केबल के निरीक्षण या परीक्षण के लिए । 10 कि० मी० तक दूरी के लिए, निम्नतम प्रभार 100 रु० और 10 कि० मी० से परे प्रति कि० मी० या उसके भाग के लिए 5.00 रु० ।

(2) उच्च दबाव ऐरियल लाइन या 33 कि० वोल्ट से अधिक दबाव पर कार्यरत केबल के लिए । 10 कि० मी० तक की दूरी के लिए, निम्नतम प्रभार 50.00 रु० और 10 कि० मी० से परे प्रति कि० मी० या उसके भाग के लिए 3.00 रु० ।

(3) मध्यम या निम्न दबाव ऐरियल लाइन या केबल 5 कि० मी० तक की दूरी के लिए, निम्नतम प्रभार 20.00 रु० और 5 कि० मी० से परे प्रति कि० मी० या उसके भाग के लिए 2.00 रु०

2. फीस लाह्न के स्वामी या विज्ञप्तिधारी द्वारा संवत् की जाएगी।

मापमान "क"

- (1) भारतीय विद्युत नियम, 1956 के नियम 82 के उपनियम (3) के अधीन निरीक्षण या प्रमाणपत्र देने के लिए 50.00 रु०
- (2) फीस उस व्यक्ति द्वारा संवत् की जाएगी, जो या तो नया भवन या संरचना का निर्माण करने या किसी भवन या संरचना में कोई अस्थायी परिवर्धन या परिवर्तन करने की प्रस्थापना करता है।

मापमान "द"

1. किसी विद्युत कर्षण प्रणाली के, जिसमें तारों पर चलने वाली द्राली और उर्ध्वस्थ उपस्कर भी सम्मिलित है, निरीक्षण और परीक्षा और जुड़ाई और रिसाव बिजली धाराओं के परीक्षण के लिए 100 रु०
2. फीस, यथास्थिति, अनुज्ञप्तिधारी या विद्युत कर्षण प्रणाली के स्वामी द्वारा संवत् की जाएगी।

मापमान "ड"

- (1) अधिनियम की धारा 26(6) और 26(7) के अन्तर्गत मीटरों और अन्य उपकरणों की शुद्धता पर परीक्षण करने और निर्णय देने के लिए :

(i) प्रयोगशाला में किसी भी प्रकार के मीटर के परीक्षण के लिए :

(i) 100 ऐम्पियर की क्षमता तक, जिसमें यह भी सम्मिलित है;

निम्न दबाव वाले प्रतिष्ठानों के लिए	15.00 रु०
मध्यम दबाव वाले प्रतिष्ठानों के लिए	20.00 रु०
उच्च दबाव वाले प्रतिष्ठानों के लिए	25.00 रु०

(ii) 50 ऐम्पियर से अधिक क्षमता के लिए किन्तु 200 ऐम्पियर से अधिक के लिए :

निम्न दबाव वाले प्रतिष्ठानों के लिए :	20.00 रु०
मध्यम दबाव वाले प्रतिष्ठानों के लिए :	25.00 रु०
उच्च दबाव वाले प्रतिष्ठानों के लिए :	30.00 रु०

(iii) 200 ऐम्पियर से अधिक क्षमता के लिए

निम्न दबाव वाले प्रतिष्ठानों के लिए	30.00 रु०
मध्यम दबाव वाले प्रतिष्ठानों के लिए	35.00 रु०
उच्च दबाव वाले प्रतिष्ठानों के लिए	40.00 रु०

(iv) फीस, यथास्थिति, अनुज्ञप्तिधारी या स्वामी द्वारा प्रदत्त की जाएगी।

2. ऐसे मीटर की दशा में जिसके बारे में अधिनियम की धारा 26 के अधीन कोई विवाद उत्पन्न हो गया है, जहाँ उपभोक्ता-परिसरों पर निरीक्षक द्वारा परीक्षण किया जाना अपेक्षित है, वहाँ ऊपर खण्ड (i) में उपबर्णित फीस, निम्न, मध्यम और उच्च दबाव वाले प्रतिष्ठानों के मीटर के लिए क्रमशः 30 रु० 40 रु० और 50 रु० बढ़ा दिए जाएंगे।

खण्ड 1 और 2 के अनुसार निरीक्षक विनिश्चय करेगा कि ऐसी फीस किसके द्वारा संदेय होगी।

टिप्पण : (1) मापमान 'ड' के खण्ड 1 के प्रयोजनों के लिए मीटरों या अन्य उपकरणों की क्षमता का विनिश्चय करने में उन शंटों (पार्श्वपथों) या करंट ट्रांसफार्मरों की, जहाँ कहीं भी वे प्रारम्भिक दिशा की मीटरों या अन्य उपकरणों के साथ प्रयुक्त किए जाते हैं, क्षमताएं संगणित की जाएगी।

मापमान "इ"

- (1) किसी मेन, वितरण मेन या उसमें रसाव का पता लगाने के लिए मध्यम और उच्च वोल्टेज की सर्विस लाइन इंटरनल वायरिंग के, जिससे विद्युत-अपघटन और उसके पश्चात् या जल, गैस या अन्य पाइप या उससे सम्बन्ध अन्य प्रति घंटा या उसके माधुन्य की क्षति हो सकती है, निरीक्षण, परीक्षा या परीक्षण के लिए।
- (2) यदि किसी ऐसे मेन, वितरण मेन या सर्विस लाइन में कोई रिसाव पाया जाता है, तो फीस, यथास्थिति, विज्ञप्तिधारी या मेन वितरण या सर्विस लाइन के स्वामी द्वारा संवत् की जाएगी।
- (3) यदि कोई रसाव नहीं मिलता है तो, फीस अर्ध, गैस या अन्य पाइप या उससे सम्बन्ध माधुन्य के स्वामी द्वारा संवत् की जाएगी।

मापमान "ए"

- (1) भूमि में रसाव के लिए प्रतिष्ठान के परीक्षण के लिए 10 रु०
- (2) फीस ऐसे आवेदन देने वाली पार्टी द्वारा संवत् की जाएगी।

मापमान "ए"

- (1) किसी प्रतिष्ठान में भूमि में रसाव का पता लगाने के लिए पहले घंटे या उसके भाग के लिए 10 रु० और उसके पश्चात् प्रति घंटा या उसके भाग के लिए 5 रु०
- (2) फीस आवेदन देने वाली पार्टी द्वारा संवत् की जाएगी।

मापमान "त"

1. अधिनियम की धारा 21(4), 26(4) या 26 (6) के या उसकी अनुसूची के खण्ड 5(2) या 6 (3) के अन्तर्गत किसी मामले से उद्भूत अन्तर या विवाद का विनिश्चय करने के लिए जो निरीक्षक को निविष्ट किया गया है।
- (1) फीस विवाद निविष्ट करने वाली पार्टी द्वारा अग्रिम में संवत् की जाएगी, किन्तु अन्ततः उस व्यक्ति द्वारा वहन की जाएगी जिसके विरुद्ध विनिश्चय दिया गया है।

परन्तु निरीक्षक को निविष्ट अन्तर या विवाद के मामले में जिसको उक्त अधिनियम की धारा 26(6) के अन्तर्गत विनिश्चय के लिए निर्देशित किया गया है, मापमान "ड" के अनुसार मीटर के परीक्षण के लिए अनिवार्य फीस वसूली की जा सकेगी।

- (2) इस सम्बन्ध में अनिवार्य प्रत्येक मुनाबई या निरीक्षण की बाबत, फीस उद्ग्रहणीय है।

मापमान "ब"

किसी ऐसे निरीक्षण, परीक्षा या परीक्षण के लिए, जो पूर्वगामी मापमानों में से किसी में भी उपबन्धित नहीं है, ऐसी फीस, जो कि निरीक्षक परिस्थितियों में युक्तियुक्त और समुचित समझे ऐसे उपकरण के, जिसकी परीक्षा या परीक्षण हो गया है, स्वामी द्वारा, या ऐसी पार्टी द्वारा, जिसने ऐसे परीक्षण या परीक्षा के लिए निरीक्षक की सेवाओं की अग्रहण की है, संवत् की जाएगी।

[सं. ई. एल. 2-31(1)/69]

MINISTRY OF IRRIGATION & POWER

New Delhi, the 22nd December, 1973.

ORDER

S. O. 36.— In exercise of the powers conferred by sub-rule (2) of rule 7 of the Indian Electricity Rules, 1956 and in supersession of the following orders, namely :

- (1) the Chief Commissioner, Andaman and Nicobar Islands notification No. I Elec. R/7(2)/1 dated the 12th December, 1957 ;
- (2) the Government of Dadra and Nagar Haveli Order No. PWD/ELE/TARIF/7 dated the 3rd April, 1970 ; and
- (3) the Government of India, Ministry of Irrigation and Power Notification No. EL.III.219(2) dated the 16th April, 1958 for levy of fees in Pondicherry.

the Central Government hereby directs that for the services of Electrical Inspector in respect of the Union territories and the various departments of the Central Government the scales of fees shall be levied at the rates as laid down in the Schedule to this order.

SCHEDULE

FEES PAYABLE FOR THE SERVICES OF ELECTRICAL INSPECTOR FOR UNION TERRITORIES AND CENTRAL GOVERNMENT DEPARTMENTS

1. **DEFINITIONS :** In this Schedule "owner" includes an occupier of any building, place, carriage or vessel in which energy is or is about to be, generated, received or used.

2. **LEVY OF FEES**

(i) Fees for initial or periodical inspection, examination or tests made under the provisions of the Act and the Rules made thereunder, shall be levied in accordance with the rates specified and collected from the persons mentioned in scales "A" to "D" of the Schedule annexed hereto :

Provided that in the case of a second or subsequent inspection, examination or test made within a period of twelve months from the date of the first inspection, examination or test:

(a) One half of the fees specified in the said scales "A" to "D" shall be levied if, in the opinion of the Inspector, the second or subsequent inspection, examination or test is necessitated by the neglect or failure of the licensee or owner to carry out within a stipulated time, any written instructions of the Inspector or by a breach of any of the provisions of the Act or the Rules made thereunder ; and

(b) No fees shall be levied if the second or subsequent inspection, examination or test is not so necessitated.

(ii) Fees for initial or periodical inspection, examination or test of installations in factories shall be levied and collected as per scale "F" of the Schedule.

(iii) Fees for initial inspection, examination, or test of aerial lines & cables made under the provisions of the Act and the Rules made thereunder shall be levied in accordance with and collected from the persons mentioned in scales "G" to "I" of the Schedule annexed hereto.

Provided that, if in the opinion of the Inspector a second or subsequent inspection, examination or test of the installation is necessitated by the neglect or failure of the licensee, the telephone authority or the owner, as the case may be, to carry out within stipulated time, any written instructions of the Inspector, or by a breach of any of the provisions of the Act or the Rules made thereunder, the fee for such Second or subsequent inspection, examination or test shall be one half of the fee specified in scales "G" to "I".

(iv) Fees for initial or periodical inspection, examination or test of cinematograph apparatus and other public places of entertainment and for addition or alteration made therein, shall be as, provided in scale "E" of the Schedule.

(v) Fee for the services of an Inspector requisitioned by consumer or by a member of the public for purpose other than those

specified in clauses (i) to (iv) shall be levied in accordance with and collected from the persons mentioned in scales "J" to "O" of the Schedule annexed hereto.

(vi) Fee in cases of disputes referred to the Inspector shall be levied and collected from the persons as mentioned in scale "P" of the Schedule.

(vii) Fees for the services of the Inspector not specifically provided for in the scales "A" to "P" shall be levied and collected as provided in scale "Q" of the Schedule.

3. **PAYMENT OF FEES :**

(1) The fees payable under this Schedule may be paid either prior to or at the time of inspection, examination or test by sending demand draft on any scheduled bank at New Delhi drawn in favour of the Inspector for Central Government installations and Union Territories.

(2) If for any reason that fee is not paid either prior to or at the time of inspection, examination or test such fee shall be paid within ten days from the date of such inspection, examination or test.

(3) The Central Government Department or the Administration of the Union Territories may remit the payment by means of a crossed cheque drawn in favour of the Inspector.

(4) The discretion of demanding the inspection fee prior to or at the time of inspection or within ten days of the inspection shall be with the inspector.

SCALE 'A'

1. For inspection, examination and test made in pursuance of Rules for any electrical installation or apparatus to which energy is or is about to be supplied or used at high and medium pressure except in those cases to which scales "B" to "P" of this Schedule specifically refer :

Capacity	Fee
	Rs.
(i) upto and including 5 kilowatts	10.00
(ii) Exceeding 5 kilowatts and upto and including 10 KW	15.00
(iii) Exceeding 10 KW and upto and including 25 KW	30.00
(iv) Exceeding 25 KW and upto and including 50 KW	50.00
(v) Exceeding 50 KW and upto and including 100 KW	80.00
(vi) Exceeding 100 KW and upto and including 250 KW	120.00
(vii) Exceeding 250 KW and upto and including 500 KW	200.00
(viii) Exceeding 500 KW and upto and including 750 KW	300.00
(ix) Exceeding 750 KW and upto and including 1000 KW	400.00
(x) Exceeding 1000 KW and upto and including 5000 KW	600.00
(xi) Exceeding 5000 KW	1000.00

2. The fee shall be paid by the owner or his authorised agent to whom energy is or is about to be supplied.

SCALE "B"

For an inspection, examination or test of any generating station or other place in which energy is, or is about to be generated at a pressure of 100 volts or more :

Capacity of the plant installed in KW	Fee
	Rs.
(i) Upto and including 25 KW	50.00
(ii) Exceeding 25 KW but not exceeding 100 KW	150.00

Capacity of the plant installed in KW	Fee
(iii) Exceeding 100 KW but not exceeding 500 KW	Rs. 300.00
(iv) Exceeding 500 KW but not exceeding 1000 KW	500.00
(v) Exceeding 1000 KW but not exceeding 10,000 KW	1,000.00
(vi) Exceeding 10,000 KW but not exceeding 50,000 KW	1,500.00
(vii) Exceeding 50,000 KW but not exceeding 200,000 KW	2,000.00
(viii) Exceeding 200,000 KW but not exceeding 500,000 KW	3,000.00
(ix) For each additional 100,000 KW or part thereof.	1,000.00

NOTE :—

- (1) Where a generating station consists of more than one generating Unit the inspection fee shall be payable on the basis of the aggregate installed capacity offered for inspection at a time. Inspection of new generating units in the same premises offered subsequently for inspection shall be charged for on the scale of fee prescribed for inspection on the basis of KW of plant installed.
- (2) The fees shall be paid by the person generating or about to generate energy or his authorised agent.

SCALE "C"

(1) For an inspection; examination or test of any transformer, rectifier, converter welding transformer, in a receiving station, or any other place in which energy is or is about to be transformed, used or distributed.

Capacity	Fee
	Rs.
(i) upto and including 100 KVA	50.00
(ii) Exceeding 100 KVA but not exceeding 500 KVA	100.00
(iii) Exceeding 500 KVA but not exceeding 1,000 KVA	200.00
(iv) Exceeding 1,000 KVA but not exceeding 5000 KVA	300.00
(v) Exceeding 5,000 KVA but not exceeding 10,000 KVA	500.00
(vi) Exceeding 10,000 KVA but not exceeding 20,000 KVA	750.00
(vii) For each additional 10,000 KVA or part thereof	100.00

NOTE :—

- (1) Where a receiving station or any other place consists of more than one transformer, rectifier, converter, welding transformer, the inspection fee shall be payable on the basis of the aggregate installed capacity offered for inspection. Inspection of new installations in the same premises offered subsequently for inspection shall be charged for on the scale of fee prescribed for inspection on the basis of installed capacity in KVA.
- (2) The inspection fee shall be payable by the owner of the installation, or his authorised agent.
- (3) The fees mentioned above include the inspection examination or test of allied controlling equipments, namely circuit breaker, isolator, switches, bus-bars instrument transformers, battery auxiliary and main control panels and wiring.

SCALE "D"

- (1) For an inspection, examination or test of a switching station having no transformer, rectifier or converter but in-

clusive or existing control panels isolating switches, bus-bars, battery panel, instrument transformer, wiring. Rs.

- (a) For low and medium voltage switching station. 50.00
- (b) For a high voltage switching station working at a pressure upto and including 11 kV 200.00
- (c) For a switching station working at a pressure exceeding 11 kV 100.00

(2) For any addition or alteration in respect of a sub-station or switching station involving only switching and control device, the fees payable shall be half of what has been specified above in respect of each type of installation.

(3) The fees shall be paid by the owner by his authorised agent.

SCALE "E"

(1) For an inspection, examination or test of the enclosure, the cinematograph apparatus as per cinematograph rules and any other electric installation appliance or apparatus in any place of public entertainment :

- | | |
|--|--------------|
| I. For the initial inspection, examination, or test of any electric installation, appliance or apparatus in a cinema or a theatre other than a travelling cinema or other temporary place public entertainment referred to in clause (iv) | Fees Rs. 200 |
| II. For every subsequent annual inspection, examination or test of the installation appliance or apparatus, in cinemas or theatres referred to in the clause (i) | 100 |
| III. For an inspection, examination or test of an authorised addition or alteration to the electric installation in a cinema or a theatre referred to in clause (i) | 20 |
| (IV) (a) For an inspection, examination or test of any electric installation, appliance or apparatus in a travelling cinema or other temporary place of public entertainment. | 100 |
| (b) For every subsequent inspection, examination or test of any electric installation, appliance or apparatus in such cinema or place of public entertainment periodical or necessitated on account of a change of place of premises. | 50 |
| (V) For an inspection, examination or test of electric installation, appliance or apparatus in a travelling or temporary cinema or other temporary place of public entertainment necessitated on account of a change of installation, appliance or apparatus so as to conform to the rules and regulations for permanent places of public amusement. | 100 |

(2) The fee shall be paid by the owner.

SCALE "F"

1. For an inspection, examination or test of any electric installation, appliance or apparatus [other than a generating station or a receiving station or a switching station for which a separate fee will be charged under scales B to D in a factory within the meaning of the Factories Act, 1948 (63 of 1948) to which energy is supplied by a licensee or in which energy is generated].

- | | |
|--|--|
| (i) For lighting, or for purposes other than power provided that no fee under this item shall be charged in respect of an electric installation, appliance or apparatus in any factory which does not come under the preview of the Factories Act, 1948 (63 of 1948) | Rs. 10 per kilowatt of connected load or part thereof subject to a maximum of Rs. 100. |
|--|--|

- | | |
|-----------------|-------------------------|
| (ii) For Power. | Fees are per scale "A". |
|-----------------|-------------------------|

- (iii) For generating stations, receiving stations or switching stations in which energy is or is about to be generated or transformed, or distributed.

2. The fee shall be paid by the owner, or his authorised agent.

SCALE "G"

1. For an inspection, examination or test:

- (i) of a high voltage service connection Rs. 50.00
(ii) of a medium or low voltage service connection. Rs. 10.00

2. The fee shall be paid by the licensee or other person supplying the energy.

SCALE "H"

1. For an inspection or examination of every crossing of a new aerial line including a service line comprising of bare conductors crossing over a telegraph, telephone or other aerial line.

Each crossing Rs. 15/-

Provided that where more than one crossing situated within a distance of one Km. of each other are inspected at the same time the fee for every additional crossing shall be Rs. 10/-.

2. The fee leviable under this scale not be charged when the inspection has been carried out in conjunction with an inspection for which a fee is levied under scale "G" or "I".

3. The fee shall be paid by the person whose line is erected later.

SCALE "I"

- (1) For an inspection or test of a high pressure aerial line or cable working at a pressure exceeding 33 KV. A minimum charge of Rs. 100/- for a distance upto 10KM and Rs. 5/- per KM or part thereof or beyond 10KM.
- (2) a high pressure aerial line or cable working at a pressure not exceeding 33KV. A minimum charge of Rs. 50.00 for a distance upto 10KM and Rs. 3.00 per Km or part thereof beyond 10KM.
- (3) Medium or low pressure aerial line or cable. A minimum charge of Rs. 20.00 for a distance upto 5KM and Rs. 2.00 per KM or part thereof beyond 5 KM.

2. The fee shall be paid by the owner of the line or the licensee.

SCALE "J"

1. For an inspection or issue of a certificate under subrule (3) of rule 82 of the Indian Electricity Rules, 1956. Rs. 50.00

2. The fee shall be paid by the person who proposes either to erect a new building or structure or to make any temporary addition or alteration in or upon any building or a structure.

SCALE "K"

(1) For an inspection or examination of any electric traction system, including trolley wires and overhead equipment and test of bonding and leakage currents. Rs. 100 per day or part thereof.

(2) The fee shall be paid by the licensee or the owner of the electric traction system, as the case may be.

SCALE "L"

1. For testing and giving a decision on the accuracy of meters and other apparatus under sections 26(6) and 26(7) of the Act :

(1) For testing in the laboratory a meter of any description : Rs.

- (i) upto and including a capacity of 100 amperes :
For low pressure installations . . . 15.00
For medium pressure installations . . . 20.00
For high pressure installations . . . 25.00

(ii) For a capacity exceeding 50 amperes but not exceeding 200 amperes.

- For low pressure installations . . . 20
For medium pressure installations . . . 25
For high pressure installations . . . 30

(iii) For a capacity exceeding 200 amperes.

- For low pressure installations . . . 30
For medium pressure installations . . . 35
For high pressure installations . . . 40

(iv) The fees shall be paid by the licensee or the owner as the case may be.

2. In the case of a meter about which a dispute has arisen under section 26 of the Act where the test is required by the Inspector to be carried out on consumers premises, the fees set out in clause (i) above shall increase by Rs. 30, Rs. 40 and Rs. 50 per meter of low, medium or high pressure installations respectively.

For a clause 1 and 2 the inspector shall decide by whom such fee shall be payable.

Note : (1) In deciding the capacity of meters and other apparatus for the purpose of clause 1 of scale 'L' the capacities shall be reckoned as those of the shunts or the primary side of the current transformers wherever these are used with the meters or other apparatus.

SCALE "M"

(1) For an inspection, examination or test of any main, distribution mains, or service line internal wiring of medium and high voltage for the discovering of leakage therein which may result in electrolysis or other injury to any water, gas or other pipe or any appliance connected therewith. Rs. 40 for the first hour or part thereof and thereafter Rs. 20 per hour or part thereof.

2. If any leakage is discovered in any such main, distributing main, or service line, the fee shall be paid by the licensee or the owner of the main, distributing main, or service line, as the case may be.

3. If no leakage is discovered, the fee shall be paid by the owner of the water, gas or other pipe or of the appliance connected therewith.

SCALE "N"

1. For the testing of an installation for leakage to earth. Rs. 10

2. The fee shall be paid by the party making such application.

SCALE "O."

1. For localising of leakage to earth in any installation. Rs. 10 for the first hour or part thereof and thereafter Rs. 5 per hour or part thereof.

2. The fee shall be paid by the party making the application.

SCALE "P"

1. For deciding any case of difference or dispute arising under sections 21(4), 26(4) or 26(6) of, or clauses V(2) or VI(3) of the Schedule to the Act, referred to the Inspector. Rs. 50 per decision subject to notes below.

1. The fee shall be paid in advance by the party referring the decision, but will be borne finally by the person against whom the decision is given.

Provided that in the case of difference or dispute referred to the Inspector for being decided under Section 26(6) of the said Act, an additional fee for the testing of a meter in accordance with scale "L" shall be recoverable.

2. The fee is chargeable in respect of each hearing and each inspection necessitated in this connection.

SCALE "Q"

For any inspection examination or test not provided for each in any of the foregoing scales such fee as the Inspector may consider reasonable and proper in the circumstances shall be paid by the owner of the apparatus which is examined or tested or by the party which requisition the services of the Inspector for such test or examination.

[No. EL-II-31(1)/69]

आदेश

नई दिल्ली, 26 दिसम्बर, 1973

का० आ० 37—केन्द्रीय सरकार भारतीय बिजली नियम 1956, के नियम 133 के उपनियम (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निदेश देती है कि मससे राष्ट्रीय कोयला-विकास निगम लि० को झिगुरडा कोयला खान को ओपन-कास्त खान में 3.3 कि० वा० रूसी विद्युत खेनित्र माडल इ० के० जी०-4.6 बी० क्रम संख्या ई० 638 के सहयोजन में निम्नलिखित उपस्कर "एक 40 कि० वा० ए० 3.3 कि० वा० 220 वा० 3 फेज स्टार/स्तर परिमाणित रूसी मेक क्रमसंख्या 37335 टाईप टी० एम० 340/3.3 टी० न्यूटल रखा रूखा परन्तु भू-सम्पर्कित नहीं" को प्रयोग करने के संबंध में उक्त नियमों के—

(i) नियम 118 (ग) और

(ii) नियम 130

के उपबंधों को निम्नलिखित सीमा तक शिथिल कर दिया जाए:

(1) नियम 118 (ग) के शिथिल न में शाबल के भीतर प्रकाश-व्यवस्था के लिए उपयोग हेतु अपेक्षित 40 कि० वा० ए० 3.3 कि० वा० /220 वा० 3 फेज स्टार/स्तर परिणामित क्रमसंख्या 37335 से 127 वा० सप्लाय प्रणाली प्रयोग की जा सकती है, क्योंकि परिणामित में द्वितीय विद्युत् रोधन का न्यूटल है और प्रणाली को बोल्टना फेज और विद्युत् रोधक न्यूटल के बीच में से ताकि जैसा नियम 118 (ग) में परिकल्पित है एक फेज के बीच में से ली जाती है 127 वा० सप्लाय प्रणाली विशेष रूप से ठीक समझी गई है, और उसका प्रयोग किया जा सकेगा और

(2) नियम 130 के शिथिलन में, उक्त 40 कि० वा० ए० 3.3 कि० वा०/220 वा० 3 फेज परिणामित विद्युत् रोधित रहने दिया जाए।

परन्तु कि खान सुरक्षा के उप निदेशक (वेद्युत्) के, उनके पत्र सं० 98/1388/नागपुर, तारीख 26-9-1973 द्वारा जारी किए गए शिथिलन आदेश में जो शर्त निहित है उपयुक्त शिथिलन उनके आश्रित होंगी।

परन्तु शिथिलन तब तक ही विधि मान्य होगा जब तक कि उक्त मशीन खान के अंदर प्रयोग में लाई जा रहा है। तथा क्योंकि यह मशीन खान से बाहर निकाली जाती है उसकी सूचना केन्द्रीय सरकार को खान सुरक्षा के उप निदेशक के द्वारा भेज दी जाएगी।

बाद में, यदि सुरक्षा के हित में ऐसा करना आवश्यक समझा जाए तो इस आदेश को वापस ले लिया जा सकेगा अथवा इसमें संशोधन कर दिया जा सकेगा।

[सं० बिजली-2-6(13)/73]

एस० पी० जैन उप-निदेशक

ORDER

New Delhi, the 26th December, 1973.

S. O. 37:—In exercise of the power conferred by sub-rule (2) of rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of:—

(i) Rule 118 (c) and

(ii) Rule 130

of the said rules shall be relaxed in respect of the use of the following apparatus in conjunction with one 3.3 KV Russian Electric Excavator Model EKG-4.6 B Sl. No. E-638 :

"One 40 KVA 3.3 KV/220 Volts 3 phase star/star transformer Russian make Sl. No. 37335 type TM3 40/3.3T. Neutral brought out but not earthed."

In the opencast mine at Jhingurda colliery of M/s. National Coal Development Corporation Ltd., to the extent that (1) in relaxation of rule 118(c), the 127, volts system of supply intended for use for lighting purposes within the shovel from 40KVA 3.3 KV/220 V 3 phase star/star transformer Sl. No. 37335 the transformer having the neutral of the secondary insulated and as such the voltage of the system being obtained between a phase and insulated neutral and not between phases as contemplated in rule 118 (c), the 127 volts system of supply is specially considered and may be used and (2) in relaxation of rule 130, the neutral point of the said 40 KVA 3.3 KV/220V 3 phase transformer may remain insulated.

Provided that the above relaxation will be subject to the same conditions as envisaged in the relaxation order issued by Dy. Director of Mines Safety (Electrical) vide his letter No. E/98/1388/Nagpur dt. 26-9-73.

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Deputy Director of Mines Safety (Electrical) as soon as the machine is taken out of the mine.

This order may be withdrawn or amended if considered necessary in the interest of safety at a later date.

[No. EL-II-6(13)/73]

S. P. JAIN, Deputy Director

अस संज्ञासय

नई दिल्ली, 27 दिसम्बर, 1973

शुद्धि-पत्र

का० आ० 38—केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) के आदेश संख्या का० आ० 2607, दिनांक 27 जुलाई, 1973 में निम्नलिखित संशोधन करती है,

उक्त आदेश में अनुसूची के स्थान पर निम्न अनुसूची रखी जायेगी, अर्थात्:—

"क्या मससे टाटा आयरन एंड स्टील कम्पनी लिमिटेड, जामादोबा, झारखण्ड जामादोबा जिला धानबाद के मुख्य खनन इंजीनियर के प्रबन्ध-वल्त द्वारा नीचे क्रम संख्या 1 से 6 में उल्लिखित कर्मकारों की सेवायें, उनमें से प्रत्येक के सामने दशित तारीखों से समाप्त करने और क्रम संख्या 7 से 9 में उल्लिखित कर्मकारों को, उनमें से प्रत्येक के सामने दशित तारीखों से पदच्युत करने की कार्यवाही न्यायाधीन थी, और यदि नहीं, तो कर्मकार किस अनुसूची के हकदार है?"

क्रम संख्या	कर्मचारियों के नाम	पदनाम	वह कोलियरी सेवा-समाप्ति जिनमें काम किया गया	प्रथम पद-स्थिति की तारीख	1	2	3	4	5
					3.	Shri A.T. Bannerjee	Overman	Jamadoba 6/7 Pits.	30-5-72
					4.	Shri D.N. Pandey	Overman	Jamadoba 3/4 Pits.	30-5-72
1.	श्री एस० बी० मिश्रा	ओवरमैन	डिगवाहीह कोलियरी	30-5-72	5.	Shri M.K. Roy	Overman	Sijua Colliery	30-5-72
2.	श्री एम० एन० चौधरी	ओवरमैन	मालकेरा कोलियरी	30-5-72	6.	Shri A.K. Mukherjee	Overman	Jamadoba Colliery	30-5-72
3.	श्री ए० टी० बनर्जी	ओवरमैन	जामादोबा 6/7 पिट्स	30-5-72	7.	Shri N. Mishra	Overman	Digwa-dih Colliery	25-12-72
4.	श्री डी० एन० पांडेय	ओवरमैन	जामादोबा 3/4 पिट्स	30-5-72	8.	Shri B.C. Thakur	Overman	Jamadoba 6/7 Pits.	26-12-72
5.	श्री एम० के० राय	ओवरमैन	मिजुआ कोलियरी	30-5-72	9.	Shri Gupteshwar Choubey	Mining Sirdar	Jamadoba 6/7 Pits.	26-12-72
6.	श्री ए० के० मुखर्जी	ओवरमैन	जामादोबा कोलियरी	30-5-72					
7.	श्री एन० मिश्रा	ओवरमैन	डिगवाहीह कोलियरी	25-12-72					
8.	श्री बी० सी० ठाकुर	ओवरमैन	जामादोबा 6/7 पिट्स	26-12-72					
9.	श्री गुणेश्वर चौधरी	खनन सरदार	जामादोबा 6/7 पिट्स	26-12-72					

[गल० 2012(71)/72-गल० आर०-2]

करनेन सिंह, उप-सचिव,

MINISTRY OF LABOUR

New Delhi, the 27th December, 1973

CORRIGENDUM

S.O.38—In exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment to the order of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No.S.O.2607 dated the 27th July, 1973, namely :—

In the said order for the Schedule, the following Schedule shall be substituted, namely :—

“Whether the management of Chief Mining Engineer of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jamadoba, District Dhanbad were justified in terminating the services of the workmen mentioned below at Serial Numbers 1 to 6 and in dismissing the workmen mentioned below at Serial numbers 7 to 9 from the date shown against each of their names, and if not, to what relief the workmen are entitled ?

Serial Numbers	Name of the Workmen	Designation	Colliery in which worked	Date of termination on dismissal of services.
1	2	3	4	5
1.	Shri S.B. Tiwari	Overman	Digwa-dih Colliery	30-5-72
2.	Shri M.N. Chaudhary	Overman	Malkera Colliery	30-5-72

New Delhi, the 28th December, 1973

S.O. 39.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the management of Messrs Geodetic Coal Company, Managing Contractor, Block No. 1, Kedla Colliery, Post Office Kedla, District Hazaribagh and their workmen, which was received by the Central Government on the 18th December, 1973.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD

In the matter of a reference under section 10(1) (d) of the Industrial Disputes Act, 1947.

Reference No. 27 of 1972

Parties:

Employers in relation to the management of Messrs Geodetic Coal Company, Managing Contractors, Block No. 1, Kedla Colliery, P.O. Kedla, District Hazaribagh.

AND

Their Workmen.

Present :

Mr. Justice D. D. Seth (Retd.), Presiding Officer.

Appearances :

For the Employers: Shri H. L. Sondhi.

For the Receiver: Shri B. Joshi, Advocate.

For the National Coal Development Corporation & Coal Mines Authority: Shri. T. P. Choudhury, Advocate.

For the Workmen: Shri S. Dasgupta, Advocate.

State : Bihar

Industry : Coal

Dhanbad, dated the 14th December, 1973.

AWARD

This is a reference made by the Central Government under section 10(1)(d) of the Industrial Disputes Act, 1947

by an order No. L/2012/74/72-LRII(i) dated New Delhi, the 26th July, 1972 in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and runs as follows:—

“Whether the management of Messrs Geodatic Coal Company, Managing Contractors, Block No. 1, Kedla Colliery, Post Office Kedla, District Hazaribagh, was justified in declaring general lay off without compensation at their mines from the 21st June, 1972 and then lockout of their mines from the 25th June, 1972? If not, to what relief are the workmen employed by these Managing Contractors entitled?”.

2. The reference was received in the office of the Tribunal on 29-7-1972 when usual notices were issued to the parties requiring them to file their written statements. The workmen filed their written statement on 15-11-1972, and since the management of the concerned colliery had already been taken over by the Central Government, a notice was also issued to the Custodian General. On 16-5-1973 Shri Dasgupta, Advocate appeared for the workmen and filed a petition stating that the concerned colliery had been taken over by a Receiver appointed by the Court and prayed that the Receiver may be added as a party to the reference. Accordingly, notices were issued to the parties. Finally the reference was fixed for hearing on 14-12-1973 when Shri Dasgupta filed a petition stating that since the colliery concerned had been nationalised and also in view of the fact that M/s. Geodatic Coal Co., are no more employer of the workmen concerned, any award passed by this Tribunal is likely to be infructuous and further praying that a no dispute award in the matter be passed. Shri Joshi who appears for the Receiver and Shri T. P. Choudhury who appears for the National Coal Development Corporation & Coal Mines Authority have no objection to the passing of a no dispute award as prayed for by Shri Dasgupta on behalf of the workmen. Accordingly with the consent of all the parties I pass a no dispute award in this reference.

3. Let a copy of this award be forwarded to the Central Government under section 15 of the Industrial Disputes Act, 1947.

D. D. SETHI, Presiding Officer.

[No. L-2012/74/72-LRII.]

KARNAIL SINGH, Dy. Secy.

नई दिल्ली, 27 दिसम्बर, 1973

का० प्रा० 40—केन्द्रीय सरकार, अन्नक खान अन्न कल्याण निधि नियम, 1948 के नियम 3 के माथ पठिन अन्नक खान अन्न कल्याण निधि अधिनियम, 1946 (1946 का. 22) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, राजस्थान राज्य के बारे में मलाहकार समिति का पुनर्गठन करती है जिसमें निम्नलिखित सदस्य होंगे, प्रार्थना:—

1. श्रम मंत्री, राजस्थान अध्यक्ष
2. अन्नक खान कल्याण आयुक्त, राजस्थान उपाध्यक्ष
3. क्षेत्रीय श्रम आयुक्त (केन्द्रीय), अजमेर केन्द्रीय सरकार का प्रतिनिधि
4. श्री भंवर लाल भट्टेडा, सदस्य विधान सभा राज्य विधान सभा का प्रतिनिधि
5. श्री सोवर मल मानसिङ्ग, पूसा नियास, भीलवाड़ा राजस्थान के अन्नक खानों के स्वामियों के प्रतिनिधि
6. श्री आर० एन सक्सेना, खान अभिकर्ता, राजस्थान खनिज गंड कम्पनी, वाणीपार्क, जयपुर

7. श्री रमेश चन्द्र व्यास, प्रधान, खान मजदूर कांग्रेस, भीलवाड़ा राजस्थान के अन्नक खान उद्योग में नियोजित कर्मचारों के प्रतिनिधि।
 8. श्री बी० चौधरी, सचिव, भारतीय राष्ट्रीय खान कर्म-कार परिसंघ संसार चन्द्र रोड, जयपुर।
 9. श्रीमती पी० बी० चन्द्रा महिला प्रतिनिधि
 10. सचिव, अन्नक खान श्रम कल्याण संगठन भीलवाड़ा (राजस्थान) सचिव
- {स० यू० 18012/2/71-एम० 3}
- बी० के० सक्सेना, प्रवर सचिव

New Delhi, the 27th Dec. 1973

S. O. 40—In exercise of the Powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946), read with rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby reconstitutes the Advisory Committee for the State of Rajasthan so as to consist of the following members namely:—

1. Labour Minister, Rajasthan Chairman
2. Mica Mines Welfare Commissioner, Rajasthan Vice-Chairman
3. Regional Labour Commissioner (Central) Ajmer Representative of the Central Government.
4. Shri Bhanwar Lal Bhadedda, M.L.A. Representative of the State Legislative Assembly.
5. Shri Sanwermal Mansinghka, Pusa Nivas, Bhilwara. Representatives of the Mica Mines Ownery of Rajasthan.
6. Shri R.N. Saxena, Mine Agent, Rajasthan Mineral & Co., Bani-park, Jaipur.
7. Shri Ramesh Chandra Vyas, President, Khan Mazdoor Congress, Bhilwara. Representatives of the Workmen employed in the Mica Mining Industry of Rajasthan.
8. Shri B. Chowdhury, Secretary, Indian National Mine Workers' Federation, Sansar Chandra Road Jaipur.
9. Smt. P.V. Chandra Women representative.
10. Secretary, Mica Mines Labour Welfare Organisation Bhilwara (Rajasthan). Secretary

[No.U.18012/2/71-M-III.]

B.K. SAKSENA Under Secy.

प्रादेश

नई दिल्ली, 24 दिसम्बर, 1973

का० प्रा० 41—यतः यूनाइटेड स्टोडिओस एसोसिएशन आफ कोचीन (प्राइवेट) लिमिटेड, कोचीन के प्रबन्धतंत्र से सबन्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व (1) कोचीन थुरामुधा थोजी-लाली यूनियन, कोचीन (2) कोचीन पोर्ट थोजीलाली यूनियन, कोचीन

और (3) कोचीन डाक एम्प्लॉईज एसोसिएशन कोचीन-2 करती है, एक औद्योगिक विवाद विद्यमान है ;

और यत्न उक्त नियोजकों और उनके कर्मचारियों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के अन्तर्गत एक लिखित करार द्वारा उक्त विवाद को माध्यस्थ के लिए निर्देशित करने का करार कर लिया है और उक्त अधिनियम की धारा 10 क की उपधारा (3) के अधीन उक्त माध्यस्थम् करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब उक्त अधिनियम की धारा 10-क की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थम् करार को, जो उसे 7 दिसम्बर, 1973 को मिला था, एनद्वारा प्रकाशित करती है ।

औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन करार

पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले

1. श्री के० जी० भगत,
अध्यक्ष,
यूनाइटेड स्टीविडोर्स एसोसिएशन
आफ कोचीन (प्राइवेट) लिमिटेड,
रीवर रोड,
कोचीन-1
2. श्री के० जे० हर्म्सेल-2
सदस्य,
यूनाइटेड स्टीविडोर्स एसोसिएशन
आफ कोचीन (प्राइवेट) लिमिटेड,
रीवर रोड,
कोचीन-1

कर्मचारियों का प्रतिनिधित्व करने वाले

1. श्री एम० के० राघवन,
अध्यक्ष,
कोचीन थुगमुधा थोजीलाली यूनियन,
कोचीन-2
2. श्री ए० ए० कोचुप्पी,
सचिव,
कोचीन थुगमुधा थोजीलाली यूनियन,
कोचीन-2
3. श्री के० ए० राजन,
अध्यक्ष,
कोचीन डाक एम्प्लॉईज एसो-
सिएशन,
दरवाजा सं० 6/71, कलबेट्टी,
कोचीन-1
4. श्री बी० जे० फर्नान्डेज,
सचिव,
कोचीन डाक एम्प्लॉईज एसो-
सिएशन,
दरवाजा सं० 6/71, कलबेट्टी,
कोचीन-1

5. श्री जी० एम० धारा सिंह,
अध्यक्ष,
कोचीन पोर्ट थोजीलाली यूनियन
इन्टक कार्यालय,
कोचीन-2
6. श्री पी० जे० जाब,
महा सचिव,
कोचीन पोर्ट थोजीलाली यूनियन,
इन्टक कार्यालय,
कोचीन-2

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री ए० टी० जाम्ने, पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण और श्रम न्यायालय सं० 1, चौथी मंजिल, सोटी प्राइम् बिस्किंग, 298, बाजार गेट, स्ट्रीट, फोर्ट, बम्बई-1, के माध्यस्थ के लिए निर्देशित करने का एनद्वारा करार किया गया है :-

1. विनिर्दिष्ट विवादग्रस्त विषय: "नया कोचीन गोदी श्रम बोर्ड के पंजीकृत गोदी श्रमिकों की 1972-73 वर्ष के लिए 20 प्र० की दर से बोनस के भुगतान की मांग न्यायोचित है? यदि नहीं तो क्या दर होनी चाहिये?"
2. विवाद के पक्षकारों का विवरण, जिसमें अन्तर्बलित स्थापना या उपक्रम का नाम और पता भी सम्मिलित है ।
कोचीन गोदी श्रम बोर्ड के अधीन स्टीविडोर्स जिनका प्रतिनिधित्व यूनाइटेड स्टीविडोर्स, एसोसिएशन आफ कोचीन (प्रा०), लिमिटेड, रीवर रोड, कोचीन-1 करती हैं ।
3. यदि कोई संघ प्रणयन कर्मचारियों का प्रतिनिधित्व करता हो तो उसका नाम ।
1. कोचीन थुगमुधा थोजीलाली यूनियन, मट्टनचेरी, कोचीन-2
2. कोचीन डाक एम्प्लॉईज एसोसिएशन दरवाजा सं० 6/71, कलबेट्टी, कोचीन-1
3. कोचीन पोर्ट थोजीलाली यूनियन, इन्टक कार्यालय, मट्टनचेरी, कोचीन-2,
4. विवाद द्वारा प्रभावित या संभावित: प्रभावित होने वाले कर्मचारियों की प्राक्कलित संख्या 1804
5. प्रभावित उपक्रम में नियोजित कर्मकारी की कुल संख्या । 1804

हम यह करार भी करते हैं कि माध्यस्थ का विनिश्चित अन्तिम और हम पर बाध्य कर होगा ।

माध्यस्थ अपना पंचाट तीन मास की कालावधि या इनके और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा ।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले : कर्मचारियों का प्रतिनिधित्व करने वाले

ह०/-	ह०/-	
(के० जी० भगत)	(एम० के० राघवन)	
ह०/-	(ए० ए० कोचुप्पी)	ह०/-
(के० जे० हर्म्सेल)	(के० ए० राजन)	ह०/-
	(बी० जे० फर्नान्डेज)	ह०/-
	(जी० एम० धारा सिंह)	ह०/-
	(पी० जे० जाब)	ह०/-

साक्षी

1. ह०/-
(जी० आर० पिल्ले)
प्राध्यापिक, सहायक श्रमाग्रस्त
(केन्द्रीय) का कार्यालय,
डी० एच० रोड, कोचीन-16.
- ह०/-
2. (एस० के० स्वामी),
सचिव,
प्रशासनिक निकाय,
कोचीन गोदी श्रम बोर्ड,
कोचीन-3

ता० 20-11-1973

[संख्या एल०-350/3/1/73-पी० एण्ड डी०]

New Delhi, the 24th December, 1973

ORDER

S. O. 41.—Whereas, in industrial dispute exists between the employers in relation to the management of United Stevedores Association of Cochin (Private) Limited, Cochin and their workmen represented by (i) Cochin Thuramugha Thozhilali Union, Cochin (ii) Cochin Port Thozhilali Union, Cochin, and (iii) Cochin Dock Employees Association, Cochin-2;

And, Whereas the said employers and their workmen have by a written agreement under sub-section (1) of section 10A, of the Industrial Dispute Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement, which was received by it on the 7th December, 1973.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT 1947

Name of parties:

- Representing Employers :
1. Shri K.G. Bhagat, President, United Stevedores Association of Cochin (Private) Limited, River Road, Cochin-1
 2. Shri K. J. Herschel, Member, United Stevedores Association of Cochin (Private) Limited, River Road, Cochin-1.

- Representing Workmen :
1. Shri M. K. Raghavan, President, Cochin Thuramugha Thozhilali Union, Cochin-2.
 2. Shri A. A. Kochunny, Secretary, Cochin Thuramugha Thozhilali Union, Cochin-2.
 3. Shri K. A. Rajan, President, Cochin Dock Employees' Association, Door No. VI/71, Calvetty, Cochin-1.
 4. Shri B.J. Fernandez, Secretary, Cochin Dock Employees Association, Door No. VI/71 Calvetty, Cochin-1.
 5. Shri G.S. Dhara Singh, President, Cochin Port Thozhilali Union, INTUC Office, Cochin-2.
 6. Shri P. J. Job, General Secretary, Cochin Port Thozhilali Union, INTUC Office, Cochin-2.

It is hereby agreed between the parties to refer the following Industrial dispute to the arbitration of Shri A.T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 1, 4th Floor, City Ice Building, 298-Bazar Gate Street, Fort, Bombay-1.

- (i) Specific matters in dispute : "Whether the demand of the Registered Dock Workers of the Cochin Dock Labour Board for payment of Bonus at the rate of 20% for the year 1972-73 is justified? If not, what should be the rate?"

- (ii) Details of the parties to the disputes including the name and address of the establishment or undertaking involved.
- Stevedores under the Cochin Dock Labour Board represented by the United Stevedores' Association of Cochin (Private) Limited, River Road, Cochin-1.

- (iii) Name of the Union, if any, representing the workmen in question.
1. Cochin Thuramugha Thozhilali Union, Mattancherry, Cochin-2.
 2. Cochin Dock Employees' Association, Door No. VI/71, Calvetty, Cochin-1.
 3. Cochin Port Thozhilali Union, INTUC Office, Mattancherry, Cochin-2.

- (iv) Total number of workmen affected or likely to be affected by the dispute. 1804

- (v) Total number or workmen employed in the Undertaking affected. 1804

We further agree that the decision of the Arbitrator shall be final and binding on us.

The Arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

SIGNATURE OF PARTIES

- | Representing Employers | Representing Workmen |
|------------------------|-------------------------|
| Sd/- | Sd/- |
| (K. G. Bhagat) | (M.K. RAGHAVAN) |
| | (A. K. KOCHUNNY) Sd/- |
| Sd/- | (K. A. RAJAN) Sd/- |
| (K. J. Herschel) | (B. J. FERNANDEZ) Sd/- |
| | (G.S. DHARA SINGH) Sd/- |
| | (P. J. JOB) Sd/- |

Witnesses

- | | |
|-----------------------|------------------------------|
| Sd/- | Sd/- |
| 1. G R. Pillai, | 2. (S. K. Swamy), Secretary, |
| Stenographer, Office | Administrative Body, |
| of the Asstt. Labour | Cochin Dock Labour Board, |
| Commissioner (C.), | Cochin-3. |
| D.H. Road, Cochin-16. | |

Dated : 20-11-1973

[No. L-35013/1/73-P. & D.]

नई दिल्ली, 20 दिसम्बर, 1973

का. आ. 42.—डॉक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5-क की उप-धाराओं (3) और (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एल० द्वारा कप्तान डी. वी. सिंह, उप सचिव, कांडला पोर्ट ट्रस्ट को, कांडला डाक श्रम बोर्ड के सदस्य के रूप में नियुक्त करती है और

उन्हें 14 नवम्बर, 1973 के अपराह्न से श्री ज्यैड. एस. झाला के स्थान पर, उक्त बोर्ड का अध्यक्ष बनने के लिए मनोनीत करती हैं, और भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का. आ. 3805, दिनांक 26 अक्टूबर, 1968 में निम्नलिखित और संशोधन करती हैं, अर्थात् :—

- (1) "केंद्रीय सरकार का प्रतिनिधित्व करने वाले सदस्य" शीर्षक के नीचे मन्व (1) के सामने की प्रविष्टि के लिए, निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात्:—

"कप्तान डी. वी. सिंह, उप संरक्षक, कण्डला पोर्ट ट्रस्ट, गांधीधाम I".

- (2) उक्त अधिसूचना के पैराग्राफ 2 में "श्री ज्यैड. एस. झाला," शब्दों और वर्णों के स्थान पर, "कप्तान डी. वी. सिंह", शब्द और वर्ण प्रतिस्थापित किए जायेंगे।

व्याख्यात्मक शीर्षक

श्री ज्यैड. एस. झाला ने अध्यक्ष, कण्डला डॉक श्रम बोर्ड के पद का कार्यभार 14 नवम्बर, 1973 के अपराह्न को छोड़ दिया और कण्डला पोर्ट ट्रस्ट के उप संरक्षक कप्तान डी. वी. सिंह अध्यक्ष के पद का कार्यभार संभाले हुए हैं। कप्तान डी. वी. सिंह को 14 नवम्बर, 1973 के अपराह्न से अध्यक्ष, कण्डला डॉक श्रम बोर्ड, कण्डला नियुक्त किया जा रहा है। कप्तान डी. वी. सिंह की इस प्रकार भूतलक्षी प्रभाव से नियुक्ति के फलस्वरूप किसी तीसरे व्यक्ति के हित का कोई हानि नहीं पहुँचेंगी।

[सं. वी.-17012/1/72-पी. एंड डी.]

वी. शंकरालिंगम, अवसर सचिव

New Delhi, the 20th December, 1973

S.O. 42.—In exercise of the powers conferred by sub-sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Captain D. V. Singh, Deputy Conservator, Kandla Port Trust as a member of the Kandla Dock Labour Board and nominates him to be the Chairman of the said Board vice Shri Z. S. Jhala with effect from the afternoon of the 14th November, 1973 and makes the following further amendments in the notification of Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3805 dated the 26th October, 1968, namely :—

In the said notification,—

- (i) under the heading "Members representing the Central Government" for the entry against item (1), the following entry shall be substituted, namely:—

"Captain D. V. Singh, Deputy Conservator, Kandla Port Trust, Gandhidham";

- (ii) in paragraph 2 of the said notification for the words and letters "Shri Z. S. Jhala", the words and letters "Captain D. V. Singh", shall be substituted.

Explanatory Memorandum to be appended to the Ministry of Labour and Rehabilitation (Department of Labour and Employment) notification No. V. 17012/1/72-P&D dated the 20th December, 1973

Shri Z. S. Jhala relinquished charge of the post of Chairman, Kandla Dock Labour Board, on the afternoon of 14th November, 1973 and Captain D. V. Singh, Deputy Conservator, Kandla Port Trust, is holding charge of the post of Chairman. Captain D. V. Singh is being appointed as the Chairman, Kandla Dock Labour Board, Kandla with effect from the afternoon of 14th November, 1973. No third

person's interest would be adversely affected by giving such retrospective effect to the appointment of Captain D. V. Singh.

[No. V. 17012/1/72-P&D]

New Delhi, the 21st December, 1973

S.O. 43.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay, and their workmen, which was received by the Central Government on the 12th December, 1973.

Reference No. CGIT-5 of 1972

Parties :

Employers in relation to the Bombay Port Trust, Bombay.

AND

their workmen.

Present :

Shri A. T. Zambre, Presiding Officer.

Appearances :

For the employers—Shri R. K. Shetty, Deputy Legal Adviser, Bombay Port Trust, and Shri A. V. D'souza, Superintending Engineer, B.P.T.

For the workmen—Shri G. H. Kale, President, B.P.T. General Workers' Union.
Shri S. K. Shetye, General Secretary, B.P.T. Employees union.

State : Maharashtra.

Industry : Major Ports and Docks.

Bombay, the 12th November, 1973

AWARD

The Government of India, Ministry of Labour and Rehabilitation, Department of Labour and Employment have by their Order No. L-31011/1/72-P&T dated 23rd August, 1972 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen in respect of the matters specified in the following schedule :—

SCHEDULE

"Whether the demand that the 'B' and 'C' cadres of the Engine room crews of the Dredging Flotilla should be integrated into a single cadre is justified? If so, what should be the inter-se seniority of the engine room crews borne on (i) the 'A' cadre and possessing the requisite diesel certificate, (ii) the 'B' cadre and (iii) the 'C' cadre for the purposes of regulating appointment or promotion to future vacancies in the integrated cadre?"

2. The schedule will show that the dispute referred for adjudication relates only to the engine room crews of the dredging flotilla of the engineering department of the Bombay Port Trust and the circumstances giving rise to this dispute and its background may be stated in brief as follows :—

History and background

From the very beginning it was the practice of the Bombay Port Trust to purchase steam powered vessels for all the Port activities and consequently all their flotillas in the Port department in the Engineering department and in the Mechanical department consisted mostly of steam powered vessels; and as required by the Inland steam Vessels Act and the rules thereunder, engine drivers on these steam powered vessels and some other employees were qualified holding the necessary competency certificates under that Act. After the year 1955 there was a gradual trend with the administration for going in for diesel powered vessels which necessitated the drivers to be in possession of diesel qualifications, and the

engine room crews of the flotillas was automatically divided into two cadres viz., steam and diesel cadres. Men possessing diesel driver's competency certificate were used to be posted on the diesel powered vessels and those possessing steam driver's competency certificate were to be posted on the steam powered vessels. There were separate channels of promotion for the engine room crews of these two cadres and interchangeability and transfer of staff between steam and diesel was not permitted.

3. Till the year 1955 the employers had no diesel vessels of big size but there were small launches mainly for carrying crews or their officers such as pilots etc. But thereafter there was a distinct trend of going in for diesel vessels of bigger size and capacity. Sometime in the year 1959 the employers purchased four diesel tugs. Another lot of big vessels was also to be brought in for replacing the old steam vessels which were marked for being scrapped and naturally the question of providing alternative jobs for members of the engine room crews of the steam vessels to be scrapped arose in a big way. It was the opinion of the engineering department and particularly the mechanical superintendent that the employees of the steam vessels would not be suitable for being appointed to man the newly bought diesel vessels, and the prospect of retrenchment, reversion etc., of some of the employees created a stir in the engine room crews of the employer's flotillas. There was agitation and strike stoppage of work which was settled when the administration agreed that they will train the crew of the steam powered vessels for work on the diesel powered vessels and they will be absorbed on the diesel powered vessels and as per the agreement of the employers prepared a diesel training scheme for the Port Department and adopted it by I.R. No. 1034 of 1959.

4. As per this scheme the fleet of the flotilla ships were divided into three categories viz., A, B and C. The steam powered vessels were to be in category A and the employees working on the steam vessels were put in cadre 'A'. The existing diesel powered vessels together with the additional diesel vessels which would be purchased were to be in category B and the staff manning them was to be in cadre B. Thirdly the new diesel powered vessels which were to be purchased only in replacement of the old steam powered vessels were to be in category "C" and their staff in cadre "C".

5. According to the Inland Steam Vessels Act and the Inland Motor Vehicles Act it is necessary to pass certain examinations and obtain from the Mercantile Marine Department competency certificates to enable a person to work in the engine room in certain capacities. There are types of certificates of competency first class and second class driver's certificate as required according to the H.P. of the engine of the vessel. In the case of competency certificates under both the Acts experience of actual working on the ships for a particular period is necessary for qualifying oneself for the certificate. Even for a person holding competency certificate under the Inland Steam Vessels Act he is required to put in qualifying service on diesel vessel for obtaining a competency certificate under the Inland Motor Vehicles Act. The training scheme evolved under the Trustees Resolution was designed to enable the steam vessel employees to obtain diesel certificates which in such cases take the form of appropriate endorsement on the steam certificate.

6. According to the terms of the scheme the senior engine drivers working on the steam vessels were to be given opportunity to undergo training on diesel vessels and to acquire the necessary qualifications within a period of three years during which the posts on 'C' category vessels would be filled provisionally by employees holding first-class diesel engine driver's certificate in the B category. Upon the steam drivers acquiring the necessary qualification they would have a preferential claim to appointment in the 'C' category and those provisionally appointed would revert to their original position in the seniority list in the B category.

7. The diesel training scheme which was introduced in the Port Department in the year 1959 was subsequently made applicable to the dredging flotilla in the engineering department in the year 1960. At about that time the dredging flotilla of the Administration consisted of the following 14 steam vessels.

STEAM VESSELS :

1. D.D. WALRUS (Disposed of in 1960)
2. R.C. NATILUS (" ")
3. F.F. RUTNA (Disposed of in 1963)
4. F.G.C. FLAMING (1913)
5. F.C. SARUS (1914)
6. H.O.D. CHELURA (1923)
7. H.B. DABCHICK (1921)
8. S.D. MOORHEN (1921)
9. S.D. SPOTBILL (1922)
10. S.D. WIDGEON (1922)
11. G.D. PRIESTMAN (1924)

There were also three diesel vessels.

1. M.T. KARANJA (1944)
2. M.T. ARUN (1959)
3. G.D. MAYUR (1955)

8. Almost all the steam vessels were big ships whereas the three diesel craft were small units requiring comparatively a vessel by name VIKAS and was placed in category 'C' in of employees ordinarily required for the engine room crew of the steam vessels is necessarily much more than the crew required for the engine room in a comparable diesel vessel.

9. After the introduction of the diesel training scheme the management purchased for the dredging flotilla a diesel vessel by name VIKAS and was placed in category 'C' in replacement of the steam vessel H.G.D. CHELURA. Subsequently they purchased another big diesel vessel D.S.D. VIKRAM in the year 1962 but it was proposed by the management that the vessel should be treated as additional one and should be placed in category B of diesel vessels. The employees had resisted this move as the steam vessel crew could not be absorbed on it. VIKRAM was put in category B. By this time steam vessel H.B. DABCHICK had already come to an end of its serviceable life. The administration next purchased a diesel vessel F.C. SHRAVAN for the dredging flotilla. It was a floating crane for use of loading or unloading big, heavy or over-size articles from and to the ship. But this was also considered by the management to be an additional one and was categorized as B though the steam vessel SARUS being very old needed replacement, and from the commissioning of the same the working of SARUS was limited to one shift of 12 hours and by categorizing VIKRAM AND SHRAVAN as B category the A category employees of the steam vessels could not be absorbed in the engine room crews.

10. In the year 1969 a new dredger ship by name D.S.D. VISHAL was purchased for the dredger flotilla but instead of treating it as a replacement for one steam vessel the management contended and decided that it would be considered as a replacement of the three vessels viz., MOORHEN, SPOTBILL AND WIDGEON. The B.P.T. General Workers' Union tried its level best to convince the management that by reason of this sort of strange logic of considering the ship D.S.D. VISHAL in replacement of three vessels they were doing great harm to the engine room crew of the steam vessels and those employees working in the 'C' cadre. It was represented that according to the spirit and object of evolving the diesel training scheme each of the steam vessels going off the working should have been substituted by at least a new diesel vessel for the purpose of seeing that the engine room personnel of the steam ship could on being rendered surplus to requirement by reason of the vessel being scrapped be somehow accommodated and thus their prospects of promotion and rise remain substantially unaffected by reason of the policy of the administration for going in for dieselisation of the dredging flotilla.

11. But the representations made by the B.P.T. General Workers' Union to the management were turned down and hence the union raised a dispute No. GD/D/17-69 dated 8-5-1970 to the Regional Labour Commissioner who called the representatives of this union and the B.P.T. Employees' Union and the matter was discussed with the General Manager of the B.P.T. The representatives of the 3 parties present agreed in principle on the merger of B and C cadre and the General Manager also asked his Chief Engineer to

prepare a scheme for the merger. The scheme was also prepared and was kept for further discussion but the B.P.T. Employees Union backed out on the plea that the same was not acceptable to their members and the attempt had to be given up on the ground that the parties were to try once again by discussion to iron out the differences. But further discussion also could not yield any tangible result and hence the B.P.T. General Workers' Union had by their No. GD/D/17-69 of 25-2-1972 raised afresh this dispute about the merger of the two cadres B and C before the Regional Labour Commissioner (Central), Bombay. The Regional Labour Commissioner entered the dispute in conciliation and after the failure report Government have referred the dispute to this Tribunal for adjudication.

Contention raised by the B.P.T. General Workers' Union

12. The B.P.T. General Workers' Union represents the crews of the steam vessels A cadre and the Diesel vessels C cadre. This union has by its statement of claim and supplementary statements given the history and background of the diesel training scheme and the working thereof. They have contended that the object of the creation of cadre 'C' and the introduction of the diesel training scheme was mainly for the avoidance of retrenchment and creation of promotional avenues to the surplus crews in A Cadre. The provisions of the diesel training scheme dividing the flotilla engine room crews in three cadres have been subsequently used to harm the legitimate interests of the steam vessels crew and also those working in cadre C and the provisions have been on the contrary utilised for the purpose of favouring the engine room crew of the B category vessels.

13. The B.P.T. General Workers' Union has alleged that the first three vessels mentioned in para 7 above were disposed of after the diesel training scheme was adopted and as a result the crew of these vessels was absorbed in the dredging personnel. The steam vessel H.B. BABCHICK had already come to an end of its serviceable life and it was necessary that the Diesel ship VIKRAM should have been classified in the 'C' category. But the administration had arbitrarily and without any reason classified it in the B category treating it to be an additional vessel. When DABCHICK was scrapped and the authorities felt the necessity of introducing the second shift on the D.S.D. Vikram vessel the union renewed its request that the crew on the second shift on the VIKRAM at least may be filled in from the steam personnel. But this was also rejected and the employers had not only not complied with the directions of the Diesel Training scheme but had wronged the steam engine personnel by including the ships D.S.D. VIKRAM in B cadre.

14. It has been further contended that the dredging flotilla crane F.C. SARUS which was the oldest steam powered vessel built in 1914 was due for replacement. But when the management purchased for the dredging flotilla the diesel vessel F.C. SHRAVAN the floating crane for loading or unloading big heavy or oversize articles instead of putting it in the 'C' cadre in replacement of the steam powered crane F.S. SHRAVAN the management treated it as an additional vessel and classified it in B category. Further with the commissioning F.C. SHRAVAN the working of F.C. SARUS was limited to only one shift of 12 hours and thus all the employees working on the SARUS in the second shift were considered surplus and were absorbed in the vacancies in the steam side other vessels, and this was also a case of discrimination.

15. Subsequently the steam vessel H.B. MOORHEN was also proposed to be scrapped. The other dredger S.D. SPOTBILL was also decided to be converted into a Hopper Barge and the administration though brought the vessel D.S.D. VISHAL in the dredging section, instead of considering it as a replacement for one steam vessel the management considered it to be a replacement for three steam vessels MOORHEN, SPOTBILL and WIDGFON. The union made a representation to the administration about the case of the employees of A and C cadre but their plea was in vain. If the spirit and object of evolving the training scheme are taken into account then each of the steam vessels going off the working should have been substituted by at least a new diesel vessel for the purpose of absorbing the engine room personnel of the steamship and maintain their prospects of promotion unaffected.

16. The B.P.T. General Workers' Union has further alleged that their requests were turned down by the administration as the administration did not want to displease and offend the B.P.T. Employees Union which enjoyed the membership of the employees of B cadre the crews of the engine room of the diesel vessels and the scheme was utilised for the purpose of favouring the B cadre. The union therefore made endeavours to see that the scheme which was originally intended for three years was timely ended or its provision were modified as to serve its real purpose. As soon as the training was over the entire scheme together with the artificial division into B and C cadres of diesel vessels should have been ended and as before all diesel vessels should have been merged together.

17. The union has further contended that at present there are six vessels in A cadre seven in the B cadre and three in the C cadre. Out of the six steam vessels of A cadre only two ships viz., Flamingo and Sarus are yet to be replaced by new diesel vessels. The other four vessels will be scrapped without any replacement as according to the administration replacement vessels in their case have already been bought and included. If the management keeps its promise to replace the two steam vessels there will be in all 5 vessels in the (c) category. And finally in place of original three diesel vessels there will be 7 diesel vessels in category B as against 5 in C cadre in substitution of the 11 steam vessels of category A. Thus the very object of the diesel training scheme evolved to safeguard the interests of A cadre has been defeated and the B cadre derived the benefits by simply manipulating the classification of the newly bought diesel vessels. The employees of the A cadre remained without promotion to any certificated job even for 15 years whereas his junior colleagues transferred to B category could rise even as a driver 2nd grade in 10 years. In the course of the next few years when all the six steam vessels will be condemned the situation of the personnel of the steam vessels will be extremely serious. Not only their chances of rise and promotion will be adversely affected but a large number will be surplus to requirement and hence the B.P.T. General Workers' Union has contended that in these circumstances it is necessary that the two diesel cadres B and C should be merged into one cadre as it was prior to the diesel training scheme.

18. Reply by the Management of B.P.T.

The employers have by their preliminary written statement conceded the demand of the B.P.T. General Workers' Union that the B and C cadre of the engine room crew of the diesel vessels of the dredging flotilla should be integrated into a single cadre and they would accept any reasonable solution by fixing the *inter se* seniority of the engine room crew borne on the A cadre and possessing the requisite diesel certificate and 'B' and 'C' cadre for the purposes of regulating appointment and promotion to future vacancies in the integrated cadre. They have submitted that they could not implement the demand of the union for the merger of B and C cadres because of the opposition of the B.P.T. Employees Union which was said to be representing the engine room crew of the diesel vessels in the B cadre. They have further submitted that the award should be made effective from the date of its enforceability and it should be such as not to give rise to any monetary claim with retrospective effect.

19. The employers have by their supplementary written statement contended that because of the immobility of the concerned engine room crew from 'C' and 'A' cadres of vessels to 'B' cadre and vice versa a good deal of administrative inconvenience is being experienced. Such immobility was the result of the absence of a common seniority for the engine crew of B and C cadres. It also resulted in the denial of leave to the engine room crew of a cadre having shortage of personnel even though such personnel are available in another cadre but whose services could not be utilised due to the artificial formation of different cadres. The provision of the different cadre has resulted in shortage of qualified men in the engine room of one cadre while there are qualified persons available among the engine crew in other cadres and the artificial shortage of the staff in one cadre can be wiped out if the concerned crews of all three cadres are integrated and one seniority list is drawn for the purpose of filling any future vacancies in the engine crew cadre. They have further submitted that this year two steam vessels viz., Hopper Barge "Spotbill" and suction

Dredger "Widgeon" are likely to be scrapped and another vessel viz., poontoon grab Dredger "Flamingo" will have to work only in one shift due to frequent breakdown of the vessel on account of its age. Flamingo was 60 years old while the other two vessels are 50 years old and all the three are steam driven vessels. The other vessels are also nearing the end of their useful life and by the merger of B and C cadres it will be possible to utilise the services of some of the surplus staff of A cadre having the requisite qualification for working on the diesel crew in the B cadre.

20. Contentions raised by the B.P.T. employees Union opposing the merger.

The B.P.T. Employees Union represent the employees who are the members of the crew of the engine room of the B category vessels. This union by its reply statement has almost admitted the background and history of the introduction of the diesel training scheme and position of the dredging flotilla vessels etc. but they have alleged that the Bombay Port Trust administration have correctly implemented the Trustees Resolution No. 1034 of 1959 and other resolutions regarding the diesel training scheme. The trustees have added the new diesel powered vessels in the flotilla and when purchased in replacement of old steam powered vessels put them in category 'C'. The union has contended that they did not accept the scheme of merger of B and C cadres as prepared by the Chief Engineer of the employers and have opposed the merger on the ground that the B and C cadres are two self-contained cadres. There is no interchange between them and the A and C cadre. The employees have no legal right to claim merger of B and C cadres. They have contended that if merger is effected it would adversely affect the employees in category B and it has been further contended that the merger would be contrary to the recommendations of the Classification and Categorization Committee and the Wage Board.

21. Regarding the contention raised by the employers about administrative inconvenience this union has alleged that this contention of the employers was an afterthought. There was no interruption in the work of the dredging section because a driver was not available and whenever there arose such an occasion a driver from the other cadre was allowed to be posted. They have contended that the Chairman of the B.P.T. had assured that the old steam crafts would be replaced by new diesel vessels and the apprehension was not tenable and the merger was not fair. But the union has submitted that they have no objection if there is combined seniority for all the future entrants to the B and C cadre for the purpose of promotion and other advantages if such change is introduced after notice under section 9A and there should be no merger as claimed by the A and C category.

22. Issue No. 1 regarding integration and merger

All the three parties have in addition raised several contentions about fixing the *inter se* seniority of the engine room crew and have made different suggestions. However, I shall first deal with the issue regarding the integration and then if necessary consider the contention about *inter se* seniority and how it should be formulated.

23. The parties have in support of their contentions led voluminous documentary evidence consisting of various previous T.Rs, the correspondence the minutes of the meetings, failure report etc. The B.P.T. general Workers' Union has examined one witness Abdul Rehman Okeye who has been working as an engine driver grade II on a steam vessel. The management have also examined Shri D'souza Superintending Engineer who has worked in the dredging department. Surprisingly the B.P.T. Employees Union have not examined any witness and I shall first discuss the evidence and contention about the demand of integration of the two cadres B and C of the diesel vessels employees.

24. It is not in dispute that the B.P.T. General Workers' Union which has raised this dispute for the merger of A and C cadres with B cadre employees enjoys membership of the engine room crews of the steam powered vessels knows as A cadre and the engine room crews of the replacing diesel vessels knows as C cadre while the B.P.T. Employees Union which has opposed the merger represents the employees in the engine room crews in the original and the

added diesel vessels and thus represents the employees known as B cadre. The history and background of the present dispute as stated by the B.P.T. General Workers' Union in their statement of claim paras 1 to 6 is substantially correct. Even the rival union the B.P.T. Employees Union has accepted the position and it is not in dispute that when the B.P.T. management took policy decisions in favour of dieselisation of the flotilla and started purchasing diesel vessels there was serious unrest and agitation amongst the members of the crews of the engine room of the steam vessels and with a view to alleviate the difficulties the management introduced the diesel training scheme under T.R. No. 1034/59 and this scheme was subsequently made applicable to the dredging flotilla by T. R. No. 163/1960.

25. The President of the B.P.T. General Workers' Union Shri Kale has argued that the diesel training scheme was introduced with the object of avoiding the grim prospect of throwing out of employment A cadre employees as a result of dieselisation of the flotilla and also to provide equal promotional opportunities to them. The experience of the working of the scheme for 12 years would show that as a result of its working the A and C cadre employees have been the sufferers. The number of steamships has been reduced. All the steamships which were scrapped have not been replaced by equal number of diesel vessels and consequently the promotional prospects of the A and C cadre employees have been adversely affected while the promotional chances of the B cadre employees have been disproportionately improved and the only way to alleviate the suffering of the A and C cadres and do away with the discrimination in the two groups of employees is to effect merger of the two cadres and I shall discuss the evidence to see the position and the effect of the working of the scheme on the employees.

26. At the time of the introduction of the diesel training scheme in the dredging flotilla the fleet of the flotilla consisted of 11 steam vessels known as A category vessels and 3 small diesel tugs of B cadre. The diesel vessels purchased in replacement of the A category steam vessels proposed to be scrapped were put in category C and at the time of this reference the dredging flotilla consisted of the following ships :

STEAM "A"

1. H.G.D. CHEILURA (1923)
2. S.D. WIDGEON (1922)
3. H.B. SPOTBILL (1922)
4. F.G.C. FLAMINGO (1913)
5. F.C. SARUS (1924)
6. G.D. PRIESTMAN (1924)

DIESEL

"B"

1. G.D. MAYUR
2. M.T. ARUN
3. N.T. KARANJA
4. D.S.D. VIKRAM
5. F.C. SHRAVAN
6. G.D. VASISTHA
7. M.T. DHARMA

"C"

1. M.H.G.D. Vikas.
2. G.D. Vidur.
3. D.S.D. Vishal.

27. Promotional opportunities

The B.P.T. General Workers' Union has produced as part of exhibit W-17 statement giving statistical information showing the number of vessels and the promotional posts in the three categories of vessels and their cadres as existed in the year 1960 when the scheme was introduced and the number of promotional posts existing in the year 1973. Statement A which is in respect of the posts in the 11 steamships shows that there were in all 54 promotional posts in the year 1960 available to the A cadre, while statement B gives the position in the year 1973 which mentions the names of the six ships and shows that there are in all 36 posts. Statement 'C' which is in respect of the diesel vessels B

cadre in the year 1960 shows that there were in all 17 promotional posts while in the year 1973 there are five ships giving the total number of promotional posts at 23. Statement E shows the three diesel vessels in cadre C with 17 promotional posts. Though statement B shows six steamships with promotional posts of 36 in the year 1973 it is not in dispute that out of these six ships the four ships viz., Chellura, Spotbill, Widgeon and Priestman have been according to the management already replaced and consequently the promotional posts attached to them will be completely lost. These ships are presently being plied because of necessity though according to the decision and proposals they have been scrapped. On these four ships there are in all 24 promotional posts which are lost and there will remain only 12 promotional posts on the steamships. Thus the total number of promotional posts on the steamships of cadre A and diesel cadre C comes to $12+17=29$. Thus it will be seen that while in the year 1960 that A cadre had in all 54 promotional posts in the year 1973 the promotional posts available to the A cadre are only $12+17=29$ posts.

28. In the year 1969 the management decided that the H.B. Moorhein which was a suction dredging ship should be converted as a hopper barge and the vessel Dabchik was to be scrapped as unserviceable. Similarly another vessel S.D. Spotbill was also proposed to be converted into a hopper barge on the same lines as was done in the case of H.B. Moorhein. These changes were going to affect adversely the interests of the engine room as there was no replacement. Subsequently the ship VISHAL was bought and it was contended by the management that it replaced three vessels Moorhein spotbill and Dabchik. In fact it is implied in the scheme that each vessel should be replaced by a separate diesel vessel and thus to keep the promotional opportunities of the A cadre vessel and C cadre vessel equal as before. But as only one diesel vessel had replaced three steam vessels naturally the promotional opportunities of the A cadre and C cadre vessels were reduced.

29. On the contrary if we examine the statement about the diesel vessels it will show that in the year 1960 there were in all three ships with 17 promotional posts on them while in the year 1973 the number of diesel vessels had gone upto 7 and the promotional posts on the original and newly added vessels is $17+23=40$. This will clearly show that the effect of the working of the diesel training scheme has in fact favoured the B cadre employees and has worked to the detriment of the A and C cadres.

30. The B.P.T. General Workers' Union has alleged that the diesel training scheme was introduced for the benefit of the 'A' cadre employees and the scheme also shows that it was intended for the crew of the engine rooms of the steam vessels. The B.P.T. General Workers' Union has along with the statement of claim produced a copy of the T.R. No. 1034 of 1959 which mentions the main object. Para 27 of this scheme reads as follows :—

"The purpose of creating cadre 'C' is to preserve so far as is practicable the existing scope for promotion for the men rendered surplus in cadre 'A' by the dieselisation of the flotilla. The underlying objective is to ensure that there will be in the residuary cadre 'A' when combined with cadre 'C' a number of units equal to that in the original cadre 'A' and subject to the overriding exigencies of the service to provide prospects of promotion to the displaced employees approximately equal to those they could have expected if dieselisation was not introduced. To the extent of the Motor Engine Drivers 2nd grade may not be required vide para 11 and that the complement of staff on a diesel vessel is usually less than on a comparable steam vessel the actual total number of posts available will be reduced on dieselisation. Having regard to the fact that dieselisation will be a gradual process and that men will require in the meanwhile there may be no occasion at any stage for retrenchment."

31. The contents of the above paragraph will clearly show that by creating the new cadre C and grouping all the ships and the employees in three cadres A, B and C the framers of the scheme intended to keep the number of promotional posts for the residuary A and C cadre equal to that in the original A cadre. However, the position as has been

seen after 13 years is quite the reverse. The promotional posts of the A cadre have been reduced from 54 and 29 while that of the C cadre have been increased from 17 to 40 and it shall have to be held that even working the diesel training scheme for 13 years the objective of the scheme has not been achieved and the grievance and discontent of the workers Cadre A continues and the chances of promotion of the B Cadre have gone up and it has added to the discontent and heart-burning.

32. Shri Shetye the President of the B.P.T. Employees Union has not disputed the correctness of the statistical information about the number of promotional posts which were originally in the cadre when the scheme was introduced and the posts available in the year 1973. But it has been argued that though the higher posts of engine drivers grade I and grade II have been reduced the proportion and promotional opportunities have not been adversely affected as the stockers by whom the entry posts were to be filled in the B and C cadres had in all three doors open for promotion both in the B and C cadres and in cadre A itself. However, it shall have to be remembered that the diesel training scheme was introduced for the benefit of the steam engine crews A category employees and for considering the question whether the scheme has benefitted the cadre or has affected it adversely the only test would be to see whether the promotional opportunities are equal as before. It is true that according to the diesel training scheme the entry posts of cleaners in the diesel side were to be filled in from the stokers from grade A. However appointment as a cleaner in the diesel side is not a promotion. The transfer to the diesel side as a cleaner will merely save the stoker from being retrenched in case of scrapping the steamship and the promotional posts intended are these of an engine driver grade I or grade II and the promotional opportunities will depend upon their number.

33. I have already discussed the statement showing the categories of the posts exhibit W-17 produced by the B.P.T. General Workers' Union. The management has also produced a statement giving the various scales in the three cadres and the number of the posts. It is at exhibits F-5 and E-6. The statements will show that in the A cadre there are in all $6+8=14$ posts of engine drivers which are promotional posts and the remaining employees are 87. In the B cadre there are 22 promotional posts of engine drivers and the remaining employees are 28, while in the C cadre there are 9 promotional posts of engine drivers and 17 remaining employees. Thus in the A and C combined cadre there are in all $14+9=23$ promotional posts and the remaining employees $87+28=115$ and the ratio would be $23:115$ i.e. 1:5 while in the B cadre the ratio would be $22:28$ that is roughly $3/4$ th and in percentage terms in the A and C combined cadre the promotional chances are 20 per cent while in the B cadre the chances are 75 per cent. This clearly proves that if the chances of promotion in the two cadres are compared the B cadre people enjoy a very favourable position and this has given rise to unequal opportunities of promotion and there is absolutely no substance in the contention of the B.P.T. Employees Union that the ratio and the promotional opportunities has not been reduced.

34. Shri Kale, the president of the B.P.T. General Workers' Union has argued that due to the unequal opportunities of promotion the A cadre employees have suffered a lot while the B cadre people are enjoying rapid promotions. The union has examined witness Shri Abdul Rehman who is working as an engine driver grade II in cadre A. On the steam side the entry post is that of a stoker grade II while in the diesel side such post is that of a cleaner and as per the scheme provisions the stokers who were willing, were to be posted on the diesel side. Shri Abdul Rehman has in his evidence the position of a motor engine driver grade I within 8 or 10 years while a person on the steam side will get at the most one or two promotions and may be appointed as a greaser. Shri Abdul Rehman has stated :—

"Those who were working as stokers at any time and were taken on diesel side are today getting a more pay and status than myself. One Shri Fakir Mohamed Dawood Kazi is one such instance. The second is Mohd. Hussain Khan and the third is Yusuf Shaikh Hassan. There were other persons who were senior to me in steam engine side whose

date of appointment is 1949, 1945, etc. They are also less salary and less status than the person on diesel side. It is simply because they were not transferred to diesel side. Mahmood Ahmed who was first employed on the steam side as a stoker in 1944 is engine driver grade II on the steam side even now."

He has further stated :—

"There are some C cadre 2nd grade drivers whose juniors in service have become first grade drivers in B cadre. Such drivers in C cadre are Umar Ismail Okay, Kutubuddin Abdul Razak, Abdul Razak Shaikh Hussain, Kasem Ahmed Potrik who are 2nd grade drivers. The juniors to these persons who are in B cadre and who are first grade drivers are Sudarshan Kumar, A. L. Dias T. Nair, Valanju."

35. The management has also produced statements Exhibits E-1, E-2 and E-3 showing the service particulars of the engine room staff on the three cadres A, B and C giving the details such as the names of the employees, dates of first appointment to the dredging flotilla, posts to which first appointed etc. and if we scrutinize the cases of some of the employees it will show that due to unequal opportunities of promotion the employees of the A and C cadres are sufferers. Witness Okeye has given the names and the particulars in respect of the employees who have suffered and the Statements Exhibits E-1, E-2, and E-3 also corroborate the evidence of Shri Okeye and the oral and documentary evidence clearly proves that by the working of the scheme the promotional prospects of the A and C cadre employees are adversely affected and it has given rise to unequal opportunities between the two groups of employees.

36. Shri Shetye the President of the B.P.T. Employees Union has argued that before the dieselisation of the flotilla the engine room crews of the steam vessels were in cadre A and the diesel engine room crew were in cadre B. But it was at the instance of the Bombay Port Trust General Workers' union that the management had introduced the diesel training scheme and had also created the third cadre 'C' for diesel replacement ships and the engine room crews were also classified in the A B C cadres and now the same union cannot be heard. It has been further argued that the management has faithfully implemented the provisions of the scheme which has been working smoothly for about 13 to 14 years and the merger will adversely affect the interests of B cadre employees and the demand of merger is unfair and unreasonable.

37. The management had introduced the diesel training scheme with a view to avoid the adverse effects on the employment of the steam vessel crews who were in danger of being thrown out of employment on dieselisation. When the scheme was evolved the flotilla crew was with the B.P.T. General Workers' Union and they had raised the dispute and started agitation. Hence the management with a view to pacify the workers and to have smooth working avoiding prospects of retrenchment, introduced a scheme and it is clear that the scheme was introduced at the instance and in consultation with the B.P.T. General Workers' Union. However, it should not mean that the union is barred from pointing out the defects in the working of the scheme and make a demand either for modification or cancellation. It cannot be ignored that the crew on the three diesel vessels which were in existence at the time of the introduction of the scheme were also the members of the B.P.T. General Workers' Union and it was quite natural for the union to agree to the management's proposal. It was clearly with a view not to mar the interests of the diesel employees that precautions were taken to keep them in a separate group and the trained diesel crew was proposed to be classified as cadre "C".

38. It is significant to that there was no difficulty in not the working of the scheme till the arrival of the big diesel vessel VIKRAM. The employees naturally presumed as per provisions of the diesel scheme that VIKRAM would be classified in cadre C but the evidence shows that the management categorized it as B cadre vessel. The union made representations in the larger interests to put it in C cadre and the effect of this situation was that the employees who were to be transferred to the diesel vessel Vikram

joined the B.P.T. Employees Union and the dispute started. Shri Okeye has stated :—

"Till the arrival of Vikram all the workers in dredging department belonged to one union. Now there are two unions. These people who were opposed to the suggestion of the union to classify Vikram as C cadre vessel they left the union and joined the other union and hence from the date of Vikram there are divisions in the workers of the engine room of the dredging department. Those employees of the A cadre who got a chance of being employed in the B cadre as cleaners left the union and joined the Employees Union and due to these disputes between the two sections the B.P.T. has to suffer as the ships have to remain idle as the workers are not on work on account of disputes."

39. This evidence clearly shows and it is also not disputed that the differences among the workers arose when the management decided to classify the VIKRAM as B cadre vessel and the employees interested in the suggestion of the B.P.T. General Workers' Union opposed it and there was stoppage of work. Similarly when the diesel vessel SHRAVAN was also brought and was put in the B category by the management the union had raised a dispute but the management classified it as B cadre vessel. Shri Okeye has stated :—

"The second new diesel ship brought in was S.D. Vikram. At that time our union tried that the crew from the steam side should be employed on Vikram. But as the administration did not accept the suggestion of the union no employee went to work on the Vikram and it remained idle for some days. But due to national emergency in China war the union called off the strike. Similar incident had happened when the administration had brought in the ship by name Shrawan (floating crane). This incident took place because Shrawan was not treated by the management as a replacement for Sarus and treated Shrawan as additional vessel. It was the say of the union that some of the crew working on Sarus be taken over to Shrawan."

40. Thus it is clear that when the management had classified the Vikram diesel vessel in B cadre the B.P.T. General Workers' Union had made representations. In fact every time when the newly purchased vessel was not classified as replacement vessel the union had raised disputes but for reasons known to them the management treated it as additional vessel and as the vessel was put in B category naturally the A category employees for whom the scheme was introduced could not get the chance either of appointment on those vessels or promotional opportunities on them.

41. The B.P.T. General Workers' Union has produced the correspondence with the management. The letter exhibit W-9 dated 4-9-1961 which is the decision of the general meeting of the members of the union shows that the union had suggested certain modifications to the scheme. They have stated the various circumstances in the letter and have finally observed :—

"With a view to avoiding any steam vessel crew being surplus under the existing programme of dieselisation which is inevitable unless it is suitably modified it is requested that 'SINCHAN' in D.C. Department and VIKRAM in C.E.'s department should be placed in cadre C instead of cadre B subject to the provision that first-class diesel drivers will be posted on these vessels from cadre B and all drivers first-class brought from cadre B to cadre C provisionally for a period of three years. On reversion if any should be allowed to retain their seniority as existing on the dates of their transfer from cadre B to C."

In the letter W-6 dated 21-1-1962 also they had written about Srawan and Vikash and stated :—

"It has been submitted that the new floating crane 'Srawan' is a replacement vessel vide 'sarus'. Vikash was brought in replacement of dredger Chellura. But even though Chellura has not been cancelled and has been continued Vikash was not placed in

the B cadre but has been placed in C cadre. Similarly Srawan should be placed in C cadre irrespective of whether Sarus is going to be cancelled or not with immediate effect. This union is of the very strong opinion that Srawan under no circumstances can be placed in B cadre. It is the demand of the union that Srawan should be placed in C cadre and all posts of greasers, cleaners, drivers etc., should be filled only from the steam personnel."

42. Similarly in exhibit W-11 dated 13/15-10-1962 they have brought to the notice of the management how the object of the scheme has not been carried out and observed :—

"It is however obvious that the object has not been fully achieved in view of the fact that the flow of promotion of the crew of steam engine vessels has been considerably slowed down and that there is likelihood of some employees being rendered surplus to the requirement in course of time. The scheme therefore requires reconsideration and some modifications thereof effected with a view to seeing that the interest of steam vessel crew is not jeopardised."

They have also brought to the notice of the management that by putting the new vessels in the C cadre the interests of the crew of B category vessels would not be affected and have stated :—

"In such circumstances if the additional vessels are put in category C such a course does not work unfairly against the B category vessel crew but the same time improve to some extent the depressed prospects of the crew of steam vessels."

43. According to the union when their demands were not accepted and the management did not think it proper to classify the new purchased vessels in cadre C the union had also suggested the integration and merger of the two cadres B and C and in their letter exhibit W-14 dated 16-8-1963 they have stated :—

"The administration has not indicated anywhere how it is claimed that the integration of the B and C category would adversely affect the interests of the employees working in B category."

Both the B and C category vessels were dieselised and had internal combustion engines and it was suggested that the engine drivers of such vessels should have common line of promotion. In this letter they have also invited the attention of the B.P.T. to their own contentions about rules of seniority formulated under para 31 of the Award. They have observed :—

"The employees working on vessels having internal combustion engines had never common line of promotion which the employees working on vessels having external combustion engines had never two lines of promotions. Separate lines of promotions for employees working on the B and C category vessels which are both having internal combustion engines is therefore a violation of rule (2) in para 31 of the Award under reference."

44. This evidence shows that the diesel training scheme was introduced in consultation with the B.P.T. General Workers' Union but it is also clear that as soon as it was noticed that the working of the scheme would not fulfil the object for which it was introduced and the object for which the C cadre was created, the union tried its best to persuade the management to put the new diesel vessels in cadre C. They had also tried to get the scheme modified or brought to an end. They had also suggested the integration of the B and C cadres in the year 1963 and there is no substance in the contention of the B.P.T. Employees Union that the B.P.T. General Workers' Union is estopped and barred from raising the dispute. The evidence also shows that for some reason or the other the management has not put the newly purchased diesel vessels in replacement of the old steam vessels in cadre C and when the interests of the A and C cadre employees were neglected they had made representation and had also taken resort to agitation and demanded the merger.

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45. Administrative Inconveniences

Leaving aside the question about the injustice, discontent, unrest and agitation among the employees the existence of the two cadres B and C of diesel engine crews causes serious administrative inconveniences. The absence of common seniority in the engine room crews of B and C cadres has given rise to immobility which itself results sometimes in keeping the B vessels either idle or there is an adverse effect on the output. The management has examined the Superintending Engineer, Bombay Port Trust Shri Anthony Victor D'souza who has stated :

"I say that because of the immobility of the concerned engine room crew of the dredging branch of the Chief Engineer's Department from C and A cadres of vessels to B cadre and vice versa a good deal of administrative inconvenience is being experienced by the Chief Engineer's Department. I say that the said immobility of the crew members was the result of the absence of a common seniority list for the engine room crew of the B and C cadres of vessels including the men in the A cadre possessing the requisite diesel certificate."

46. Such occasions arise mainly when one of the vessels is laid up for repairs and the members of its crew though available for working on other vessel cannot be posted there Shri D'souza has stated :—

"I say that if any of the 'A' or 'C' cadre vessels is laid up for repairs or annual overhaul the engine room crew so rendered surplus in A or C cadres cannot be transferred, posted or promoted in the vacancies caused by abrupt absenteeism among the engine room crew in the B cadre vessels due to the existing practice of treating the engine room crew of B cadre vessels as separate from C and A cadres for purposes of promotion postings and transfer. I say that the result of this immobility is that the working vessels in the B cadre either remain idle or there is adverse effect on the output of dredging due insufficient complement of staff."

He has further stated :—

"I say that the said immobility also results in unnecessary payment of wages due to avoidable promotions instead of posting the surplus staff on a vessel of another cadre which is laid up for repairs. I say that the aforesaid immobility of staff from A and C cadres to B cadre and vice versa not only constitutes an obstruction to the smooth functioning of crafts in the dredging section but also prevents the maximum use of the dredging crafts."

47. The evidence shows that the management had enough qualified staff with them in C and A cadres but they could not transfer or promote or post them to the B cadre vessels vacancies. Shri D'souza has given three occasions from November 1972 to March 1973 which are in respect of the ships Shrawan, Vikram and Vasista, of the B cadre Shri D'souza's evidence shows that though there were spare qualified engine drivers the vessels were required to be either laid up or delayed restricted work was taken due to the immobility of the engine crew which not only constitute obstruction to the smooth functioning of the vessels but prevents the maximum use of the dredging crafts.

48. The immobility of the engine room crew from the groups of employees also causes inconvenience about leave to be granted to the employees. Shri D'souza has stated :—

"I further say that the present immobility of engine room crew from A and C cadres to B cadre and vice versa also results in the denial of leave to the engine room crew having shortage of personnel even though such personnel are available in another cadre vessel but whose services cannot be utilised due to artificial formation of different cadres as at present. The said immobility thus causes avoidable hardships to the staff concerned who want to proceed on leave."

Shri Shetye has argued that though no transfers or postings can be effected from one cadre to the ships of another cadre it can be done through the consent of the unions and

this cannot be a reason for merger. Shri D'souza has referred to the inconvenience caused to the management in respect of this and has stated:—

"I say that we are not free to transfer, post and promote engine room crew from C to B cadres and vice versa even in an emergency. This causes administrative inconvenience and inefficiency. I say that it is not always feasible to contact unions and obtain unions' prior concurrence on each occasion to allow the concerned staff to be moved from one cadre to the other. Efficiency demands freedom to transfer, post and promote men from one cadre to another as and when the need arises."

49. I do not think that any Administrator intent upon having an efficient and smooth running of the office and getting maximum out-put would differ from the opinion expressed by the Shri D'souza. It may be that the union president's report this time might not have taken any objection to the proposals of leave put forth by department but one shall have to agree and say it is not a happy position for the head of the department to approach every time the union authorities even for a short vacancy. The inconvenience about leave and difficulties can also be avoided by integration of the two cadres.

50. It will be further clear from the evidence of Shri D'souza that the two vessels Spotbill and Widgeon would be scrapped in the near future and the third Flamingo shall also have to work with one shift. The other two ships Chellura and Priestman are also very old and are nearing the end of their useful life. He has produced the correspondence about the period for which the vessels would be useful and from annexure 1 dated 9th September 1969 it will be noticed that the vessels Priestman, Flamingo and Moorhen will have a future life of 4 to 5 years. That means now only one year more. The other two annexures are in respect of Widgeon and Spotbill. This letter also shows that they are 50 years old and unforeseen breakdowns to machinery and failures cannot be ruled out and it is suggested that the vessels should be disposed of as early as possible. Shri D'souza has stated that if the two cadres are merged it would be possible to utilize the services of the surplus men from A cadre on the engine room side having requisite qualification on the diesel craft in B cadre; Thus in view of the fact that these four vessels of the remaining steam vessels will be scrapped in the near future there will be retrenchment and it is quite necessary to merge the two cadres.

51. On account of the two separate cadres it has come in evidence that there are frequent disputes among the members of the two groups of staff. It has come in evidence that because of the dispute Vikram which has been purchased by the Port Trust at a cost of Rs. 80 lakhs had to remain idle for about a month because of the quarrel between the engine room crew of the crafts of A and C cadre on the one hand and the B cadre on the other. Similar incident occurred when the management wanted to commission the ship Dharma. It has been purchased at a cost of Rs. 11.50 lakhs on 14th July 1972 and Shri D'souza has stated:—

"The vessel was however put into commission in the beginning of October 1972 because of the dispute between the engine room crew of A & C cadres on the one hand and B cadre on the other. I say that rendering Dharma idle for about 3 months has caused inconvenience and monetary loss to the Administration. This had also caused decreased output of dredging."

52. Shri Shetye the President of the B.P.T. Employees Union has not disputed the allegations about the disputes and stoppage of work due to the disputes between the workers. But it has been argued that argued that the immobility inconvenience etc., put forth by the management is an after thought and the evidence of Shri D'souza should not be believed. I do not find any substance in this argument. Shri D'souza is a highly qualified senior officer. He is conversant with the working of the dredging Flotilla and the problems confronting the deck and engine room crews. He has given evidence in a straight forward manner. There is absolutely no reason why Shri D'souza would side

with one group of workers. Nothing has been shown as to why his evidence should not be believed and his evidence establishes the circumstances about administrative inconvenience leave difficulties and the disputes and deadlock as a result of the factions between the two groups of employees.

53. I have already observed that the Bombay Port Trust General Workers' Union had previously made representations and raised disputes and on various occasions there were discussions between the unions and the management. In the year 1968 when there was a meeting of the Presidents of the two unions and the Chief Engineer they discussed the matters and the meeting proposed that notes should be prepared by the office of the Chief Engineer giving facts as they were and for making possible suggestions for meeting the difficulties and the office after preparing the notes had sent two notes dated 17-6-1968 to the unions. The B.P.T. General Workers' Union has produced a copy of the notes at exhibit B to their written statement of claim. In these notes at pages 4 and 5 the Chief Engineer has discussed the circumstances and has observed:—

"Thus the opportunities of promotion afforded to the employees in cadre B are far more than those available to the employees in cadre 'A' for their absorption in cadre 'A' and there would be no such opportunities to the latter after the vessels in cadre A are decommissioned. Instead of enlarging their promotional opportunities the same will be reduced. The situation now facing was perhaps not foreseen at the time of introduction of dieselisation scheme."

54. Thereafter the Chief Engineer has given instances to show how the employees in Cadre B have quicker promotions whereas those in cadre A have no promotional opportunities and have stated the cases of one Fakir Mohd. Dawood Kazi, Mohd. Khan Hoosein Khan, Sk. Abdulla Sk. Modh. and Abdul Rehman Esmail. He has further observed:—

"Two senior employees who by their luck were posted in cadre 'C' and who have obtained the necessary certificates have no chance of promotion as there are 15 engine drivers who have already obtained the diesel endorsement on their steam certificates and who have prior claim to the posts of motor engine driver in cadre 'C' whereas the junior employees who were posted in cadre 'B' are now working as motor engine drivers. Thus the senior employees due to no fault of theirs have practically no chance of promotion though they are qualified for the post."

The Chief Engineer has cited the cases of two employees and has further observed:—

"Due to disproportionately rapid promotional opportunities being available to one set employees than to the other set in one and the same section large disparities have occurred in career prospects of the different employees. The appointment in cadre B has given an advantageous position to the staff concerned in the matter of promotional opportunities to the higher posts. This has resulted in a sort of humiliation and frustration among the steamen transferred from cadre A to cadre C. The training scheme which has induced the employees in cadre 'A' to obtain diesel endorsement has left a sense of insecurity among them about their future prospects. To obviate the situation and to maintain the efficiency and smooth working of the dredging flotilla it is suggested that the Cadre B and C should be amalgamated into one unit without affecting as far as possible the seniority of the employees already working in cadre B and who have obtained the competency certificate."

This report will clearly show that the administration was in favour of merger even before this reference. It also supports the evidence of Shri D'souza and the criticism levelled by Shri Shetye against the management does not stand to reason and it shall have to be held that merger is the only remedy for ending the dispute and having smooth working in the department.

55. Shri Shetye has argued that the merger of the two cadres will adversely affect the employees in the B cadre,

they had taken the risk of exercising their option of join the B cadre when they were initially asked whether they were willing they had made sacrifices and by working for more than 12 years in the B cadre they have obtained valuable rights and the merger will cause great injustice.

56. It is not in dispute that when the training scheme was introduced in 1960 the existing diesel vessels and the crews in the engine room of those vessels were classified as cadre B. By the scheme the management decided to form a second group of diesel vessels to be brought in replacement of the steam vessels and the crews in the engine rooms were to be treated as cadre 'C'. The employees in the engine rooms of both these groups of vessels had similar duties and similar scales of pay. The ships in both the groups were diesel ships and clearly the creation of separate cadre 'C' from B is artificial. It is not known under what circumstances and for what reasons the management made a proposal for two cadres of the same type of ships and employees in the same department. Clearly it was not necessary. The purpose would have been served by giving seniority to the existing diesel crew, and it is the creation of these two cadres that has given rise to the discontent, increased stoppage of work and agitations.

57. Moreover subsequently the management purchased big vessels and surprisingly allotted them in the B category and consequently the number of promotional posts in the B cadre increased. The management did not look to the provisions of the training scheme. According to the spirit of the scheme the management should have allotted a larger number of vessels to category C for the benefit of cadre A employees but it was not done. The combined cadres of A and C employees have not even the former equal number of promotional opportunities which they had in the steam cadre and it was for no fault of theirs. There was no special reason to favour the B cadre employees by allotting a large number of vessels to that cadre and this arbitrary allotment of vessels has resulted in discontent unrest and discrimination and heart burning. If the two cadres are merged together due promotional opportunities will be equitably distributed among the eligible workers and this step of unification will do away with the discrimination which is the main cause of irritation and agitation.

58. As regards the B.P.T. Employees' Union contentions of option and sacrifice I have gone through the various clauses of T.R. No. 1034 of 1959 which provides for the details of the diesel training scheme and I do not think that there is anything to substantiate the contention that the employees stokers who had exercised their option for joining the diesel scheme and were in the B cadre had to take any risk and had to make any sacrifices. Firstly there was no question of any choice left to the stoker employees to join cadre B or cadre C. The option was for going to the diesel side and not to any particular cadre. The management had decided to prepare a waiting list of those stokers who were willing to join the diesel scheme and thereafter appointed them as cleaners on the diesel engines either in the B cadre or C cadre as per turn and vacancy and in the very nature of things it was quite improbable to exercise any option for either B cadre or C cadre. Para 28 of the resolution runs :—

"Until further orders no fresh recruits should be taken on from outside to any diesel vessels until all steam men have been given an option to go over to the diesel side."

This itself shows that the option was not for the choice of B cadre or C cadre but it was for the diesel side. While giving a summary of facts in the proposal for merger the Chief Engineer had in his letter dated 27-6-1968 stated :—

"The stokers 2nd grade on the steam vessels who are willing to work as cleaners on the diesel vessels are therefore posted in cadre B or C depending on availability of a vacancy at the time."

This shows that there was no option left to the employees to go to the B cadre or C cadre and no question of any risk for sacrifice.

59. This will be further corroborated from the details of the working of the scheme. In exhibit W-18 page 1 details of the working of Shri Shaikh Hassan Abbas as Motor Cleaner/Greaser in B and C cadres before his transfer to

B cadre has been given. It shows that this employee had worked as cleaner in May August 1963 and from August 1963 to October 1963 in the B cadre. It also shows that again from December 1963 to September 1964 he has worked as a cleaner in the C cadre. Again in 1967 he was worked as a greaser in the B cadre. This circumstances clearly proves that the employee had no choice for the cadre but the option was only for the diesel side. Had it been for either cadre the management would have been required to prepare two waiting lists which is not the case and the contention raised by the B.P.T. Employees Union that the stokers had the choice of cadre and that they had sacrificed cannot be accepted.

60. Shri Shetye has further argued that the employees who were appointed in the B cadre were not given any protection of pay and had sacrificed a lot and there is no moral justification for the merger and unification of the two cadres. Shri Shetye has relied upon a copy of the notice dated 20th November 1962 by the Sr. Assistant Mech. Superintendent, Flotilla - exhibit U-13 which shows that the pay of the applicants as stoker would be protected only if they are appointed in cadre 'C' i.e. on replacement vessels. Shri Kale the President of the B.P.T. General Workers' Union has argued that the administration had through mistake not given protection as per the terms of the scheme. But when the matter was brought to their notice they had paid the arrears. If we scrutinize the provisions of the scheme contained in paragraph 21 of the T.R. No. 1034 it will show that the pay of the stokers was protected. In this paragraph 21 it has been observed :

"Cleaners on the new tugs will be selected from amongst the juniormost permanent second class stokers on steam vessels who might otherwise face the prospect of redundancy. They will ordinarily require no specific training or qualifying test but a period of familiarisation with the duties of a cleaner of about months's duration will be necessary in their case. They will carry with them their present pay but not grade as 2nd class stokers as personal when they are appointed against the posts of cleaners. Once they have been absorbed permanently as cleaners on dieselcraft they will have no claim to the post of 1st class stoker."

and considering this provision the contention that second class stokers who had shown their willingness to go to the diesel side had to make any sacrifice has no substance.

61. Even assuming for the sake of argument that no protection was given I do not think that the stokers were so adversely affected as the following will show :—

Category	Scale of Pay
'A' Cadre	
Stoker 1st grade	115-3-136-4-140-EB-4-160.
Stoker 2nd grade	104-2-116-3-131-EB-3-140.
'B' and 'C' Cadre	
Motor Cleaner	110-2-1/2-120-3-135-EB-3-147.

This will show that the initial salary of the motor cleaner is Rs. 110/- while the initial salary of the second grade stoker is Rs. 104/- and the stokers who have put in three years service will be getting the same salary as a motor cleaner and there is no question of any sacrifice. There was no question of the higher category employees of the A cadre upsetting the cadre posts in the diesel side and if at all they had expressed their willingness for training and in that case had got a reduced salary it is a different question and I do not think there is any substance in the contention raised by the B.P.T. Employees Union that the stokers have to undergo sacrifice and that there was no moral justification for any unification. The B.P.T. Employees union has also not examined any of their employees who are their members to show how the employees had to make sacrifice by being appointed in the B Cadre stating what he was getting before he was appointed and afterwards and the allegations are merely vague and the so called sacrifices have not been substantiated.

62. Shri Shetye on behalf of the B.P.T. Employees Union has argued that his union had honoured the scheme introduced

by the management while the B.P.T. General Workers' Union had not honoured it. They wanted more dredgers but they did not make any demand for merger nor did they raise any dispute for merger and the workmen of the B cadre who are the members of the B.P.T. Employees Union who had accepted the scheme should not be made to suffer and should not be penalised by merging the two cadres. However, it cannot be disputed that the training scheme was specifically evolved for the benefit of the employees of the A cadre. I have already discussed the evidence as to how the B.P.T. General Workers' Union made representations every time and tried to persuade the management to take into consideration the spirit of the scheme and classify the new ships in the C cadre. They had also suggested some modifications to the scheme with a view to protect the A cadre employees. I have also referred to their suggestions for the unification of the two cadres in the year 1963. When the object of the scheme could not be achieved there was unrest and agitation and the contention that the B.P.T. General Workers' Union did not take any steps or did not demand merger cannot be accepted.

63. The next contention that the B.P.T. Employees Union had honoured the scheme and were not parties to the stoppage of work etc. and hence there should be no merger has in my opinion not much relevance and it also does not deserve any consideration. The Tribunal has to decide whether the demand of the union for the merger of the B and C cadres is justified which issue shall have to be decided on different considerations and examining all aspects of the case such as social justice, industrial peace, smooth running of the business, efficiency and the contention that the B cadre employees had not joined hands with the employees of the other union in the agitation cannot be a ground for not unifying the two cadres.

64. Shri Shetye has further argued that the merger of the B and C cadres will be contrary to the recommendations of the committee for Classification and Categorization and the Central Wage Board for Port and Dock Workers of Major Ports in respect of whom there are existing promotional opportunities for employees in the various categories. The union has produced extracts from the report at exhibits U-5 and U-6. In exhibit U-5 in paragraph 22 the main recommendation runs as follows :—

"In many administrative departments, the proportion of Upper Division Clerical cadre to the Lower Division and the proportion of the Supervisory Staff to the clerical strength is quite low in most of the Ports; higher proportions will be more in consonance with work requirements also."

Promotional opportunities :

"The committee recommends that a survey similar to the one indicated in the latter part of paragraph 22 might be extended with advantage to other categories in the ports."

Similar observations have been made in the Report of the Central Wage Board for Port and Dock Workers which pertain to the lower and Upper Division Clerks and states :

"Keeping in view the duties and responsibilities of LDCs and UDCs, including time-keepers, ratio between the number of these posts should be fixed for each port and each department of a port."

and it has been argued that the recommendations favour an enhancement in the promotional posts. However, it will appear from the wording of the recommendation itself that the C. C. Committee and the Board found the proportion of the lower cadre and the supervisory staff very low and it is very difficult to understand how these observations will be applicable to the question of merger of the two groups of employees of the same category the subject matter of the present dispute. It is not the suggestion of the B.P.T. Employees Union that the number of posts of engine drivers grade I or grade II which are promotional posts on the diesel side is too low in comparison to the lower staff and the contention cannot be accepted.

65. Shri Shetye has further argued that both the cadres were in existence when the C. C. Committee examined the conditions of service but at that time they did not disturb the two cadres. On the contrary they recommended to increase

the ratio. However it can not be ignored that the Committee's Report has been made between 1958 to 1961. The Committee and the Board were appointed for specific purposes. The two cadres B and C in the present case were grouped under the diesel training scheme in 1960. The working of the scheme which was meant only for three years was not a matter for consideration before the committee and the suggestion that the merger would be against the recommendations of the C. C. Committee and is not proper on the ground does not at all stand to reason.

66. Shri Shetye has further argued that the merger of the two cadres will be detrimental to the interests and service conditions of the employees of the B cadre who are members of the union. Merger would adversely affect the privileges obtained by the B cadre employees under the scheme and previous awards and the demand of the B.P.T. General Workers' Union is not justified. Shri Shetye has read to me some observations and remarks in some awards such as 2/1/68, 5/57, 10/61 etc. All these observations have been based upon certain principles laid down in Ref. No. 5/57 known as Das Gupta Award and consideration of the issue in that award will clear the objection. In this award in paragraph 31 the learned Tribunal has observed :—

"I have very carefully considered the materials and circumstances of the present case and I lay down some broad principles for guidance in the matter of promotion for the deck crews and the engine room crews of the flotillas both steam vessels and motor and diesel vessels under the Chief Engineer and the Deputy Conservator."

67. The learned Tribunal has summarised these principles in eight clauses the seventh of which gives the guiding principles for ascertaining the comparative seniority for promotions and the eighth clause states that ordinarily the workmen once promoted shall not be made to revert to the original post on the ground that the man senior in service has acquired the requisite qualifications for the promotion subsequent to the date when the vacancy occurred.

68. I have gone through the award and I do not think that there is anything which would show that the demand of one set of workers for the unification of the two cadres would be in violation of the same or would be inconsistent. Moreover the main issue involved in that award was about seniority. The issue runs :

"In the case of crews of the Port Trust vessels should seniority be determined on the basis of the highest certificate held; should seniority of persons holding the same certificate be based on the date of obtaining the certificate?"

In sub para 7 the learned Tribunal has enumerated the circumstances such as basic pay date of confirmation higher qualifications etc., for determining the comparative seniority and there is no question of any merger of two cadres and the contention that the B cadre employees have acquired certain privileges or rights under this award and merger is against the award can not be accepted.

69. On the contrary the award produced by the B.P.T. Employees Union itself in Ref. No. 2/1/68 shows that the B.P.T. Administration had previously integrated the two cadres and had also fixed inter se seniority. The issue referred for adjudication in this reference was whether the Bombay Port Trust administration is justified in forming a unified cadre of technical assistants and station attendants of the engineering department and the order in the award is :

"It is hereby declared that the Bombay Port Trust Administration is justified in forming a unified cadre of Technical Assistants and station attendants of the Engineering Department that the inter se seniority in the unified cadre has been fixed on correct principles and that the Technical Assistants are not entitled to any relief."

and the argument advanced by the B.P.T. Employees Union that the B cadre employees have obtained certain legal rights and the merger would be against their rights cannot be accepted and there is no legal impediment in merging these two groups of employees and sometimes there can be no objection for classifying all the diesel ships whether purchased in

addition or in replacement into one group and the unification of the ships the two cadres will add to the efficiency and smooth working in the department.

70. From the oral evidence and the various documents produced by the parties it has been established that the principles of the diesel training scheme evolved for the port department were subsequently made applicable *mutatis mutandis* to the staff of the dredging flotilla of the engineering department on the commissioning of the diesel vessel *Vikas* for the dredging flotilla it was treated as C cadre vessel and the staff of the engine room crew of the original three vessels was treated as B cadre and thus the two cadres came into existence. The evidence also establishes the following circumstances which favour the unification of the two cadres :

1. Before the introduction of the training scheme to the engineering department all the diesel vessels in the flotilla and the engine room crews formed only one cadre namely B and there is no rationale in creating the C cadre for subsequent diesel vessels and employees on them.
2. All the employees other than the engine room crews on the diesel vessels of both B and C cadres namely the deck personnel formed only one cadre and there is a common seniority.
3. The engineers and other officers working on the vessels of both the categories form one cadre.
4. The split up of the engine room crews on the same type of crafts namely the diesel powered crafts is quite unnatural and so against the spirit of the award.
5. The object of the diesel training scheme and creation of the C cadre was to ensure that for the combined A and C cadres there would be equal promotional opportunities but this objective has not been achieved. On the contrary the appointment of an employee on the B category has given advantageous position in the matter of promotional opportunities to the higher posts.
6. The same number of ships as were in the steam side prior to the scheme had not been kept for the A and C cadres as was presumed while framing the scheme.
7. In the engine room crews of both the B and C cadres there are the same four categories of workers (1) cleaners, (2) greasers, (3) engineers grade II and (4) engineer grade IV. There is no difference in the nature of their worker duties. These status and responsibilities are the same.
8. It is also a fact that the pay scales and other conditions of the service and employment of the four categories of employees in both the cadres are the same.
9. The qualifications and competency certificates for the engine drivers grade I and grade II on both the diesel vessel entries are the same.
10. Both the sets of workers of the B and C cadre are working in the same section under the same head.
11. Artificial division of the two sets of similar workers has brought iniquitous position and discrimination.
12. The present arrangement of the diesel engine room crew to be divided into two sets has given rise to vexatious distinction and it often leads to dislocation of work and disputes.
13. The original diesel training scheme for which the separate C cadre was created was intended only for a period of three years.

71. For improving the situation and maintaining the efficiency and smooth working on the diesel flotilla the amalgamation of the two cadres is the only remedy which will obviate all further difficulties. The integration of the two groups of employees having similar duties, responsibilities and same condition of service will lead to industrial peace.

Such integration does not injuriously affect the legitimate rights of any employee on the contrary provides equal and equitable opportunities to all the workers for higher promotions. It will do away with the discrimination and considering these circumstances I am satisfied that the demand of the B.P.T. General Workers' Union that the B and C cadres of the engine room crews of the dredging flotilla should be integrated in a single cadre is justified.

Contentions about 2nd issue

72. The second issue in the order of reference refers to inter se seniority of the three types of employees and arises if the first issue about the merger of the two cadres is answered in this affirmative. The second issue was "If so (if the demand regarding integration is justified what should be the inter se seniority of the engine room crews" borne (I) the A cadre and possessing the requisite diesel certificate (II) the B cadre and (III) the C cadre for the purposes of regulating appointment or promotion to future vacancies in the integrated cadre. The parties have raised the following contention.

73. The B. P. T. General Workers' Union have by their supplementary written statement made certain suggestions about the fixation and for the combined seniority of the personnel concerned. They had suggested that motor engine drivers grade I in the B and C cadres should be integrated according to the dates of their confirmation as motor engine drivers grade I. Regarding one senior employee Shri Abdul Hameed Shaikh Hoosein engine driver grade I in the A cadre it is contended that he was one of the four engine drivers who were originally selected for the diesel training scheme and though he was qualified as motor engine driver grade I he could not be absorbed for want of vacancy on any of the C cadre vessels and he is entitled to be appointed as an engine driver on the new tug M.T. Dharma and he should appear in the combined list of seniority next to the drivers grade I.

74. As regards the motor engine drivers grade II they have contended that all employees holding the post of the motor engine drivers grade II from B and C cadres and engine drivers A cadre at present holding posts of drivers grade II and possessing diesel endorsement should be integrated according to the respective dates of their appointment as drivers grade II. They have also claimed protection regarding promotion for six motor engine drivers grade II from the B cadre. As regards employees of the A cadre holding 2nd class steam driver certificate with diesel endorsement and the greasers of B & C cadre holding 2nd class diesel certificate should be integrated according to the dates of their competency diesel certificates.

75. Now regarding the uncertificated greasers of B and C cadres and the cleaners of the two cadres they have contended that these categories should be integrated according to the dates of appointment as greasers or cleaners and should be included in the combined seniority list.

76. Regarding the A cadre employees acquiring second class diesel certificates subsequently it is contended that they should be borne on the combined list of seniority of the employees on the diesel side according to the dates of their acquiring the certificate vis-a-vis the greasers of the diesel side possessing similar certificates.

77. The management by their supplementary written statement dated 15-2-1973 have more or less accepted the suggestions made by the B.P.T. General Workers' Union. The employers have however objected to the special protection claimed to be given to some six engine drivers grade II in the B cadre. They have contended that such protection will lead to discrimination from the point of view of application of a principle for drawing of seniority and such discrimination may further lead to industrial disputes.

78. The B.P.T. Employees' Union has also by this supplementary written statement dated 28-2-1973 contended that they have opposed the merger of the two cadres and the question of fixation of seniority should not arise. But without prejudice to their pleas they have contended that there was a general practice that whenever the administration had to transfer certain employees either on his request or being rendered surplus he has been put to the bottom of the

other employees similarly placed in the seniority list in spite of the fact that others are junior to him. They have further contended that the employees of the A and C cadre which are quite separate cadres from B have no claim to any post and the union has opposed the suggestion of the B.P.T. General Workers' Union. The union has also opposed the suggestion of the B.P.T. General Workers' Union for the appointment of Shri Abdul Hamid Shaikh Hussain, Engine Driver, Grade I from A cadre as Motor Engine Driver Grade I on M.T. Dharma and have contended that all the existing appointments should be treated as permanent appointments, and that any change in the existing appointments would be also beyond the scope of the terms of reference and would be illegal.

79. For determining the principles governing the merger and the fixation of seniority of the personnel Shri Kale the President of the B.P.T. General Workers' Union has argued that the diesel training was introduced specifically for the benefit of the A cadre employees and to keep their promotional opportunities equal to those in the original cadre. Though the scheme was started in the year 1960 there are some A cadre trained and qualified employees who could not be appointed on the diesel side as there was no vacancy in the cadre and in order to compensate for the injustice caused to the A cadre employees the award should be given retrospective effect. It has been further argued that the diesel vessel DHARMA AND VASISHTA which have been commissioned recently should be made available for the A and C cadre employees.

80. Shri Shetye appearing for the B.P.T. Employees Union has argued that the decision should not be made operative retrospectively and the engine drivers in B cadre who have been working in clear vacancies should not be demoted or reverted. Shri Shetye has further argued that the engine drivers or greasers in B cadre who have obtained the diesel certificate and are qualified prior to 23-8-1972 the date of the reference should be protected and should be allowed to get promotion to higher posts in preference to the employees of A and C cadre. It has been further argued that while framing the seniority list the guiding principles laid down in Das Gupta Award in Reference No. 5/1957 should be followed and while transferring the A cadre employees to the combined list the A cadre employees should be shown at the bottom in the B and C combined list.

Issue No. II regarding Inter-se Seniority

81. The second issue in the reference order pertains to the inter-se seniority of the three groups of employees and in view of my finding that the demand of the workmen for the merger and integration of the B and C cadre is justified. I shall have to first determine the principles for fixing the inter-se seniority.

82. I have already stated the contentions raised by the parties in respect of the formation of inter-se seniority. The two unions have opposed each other and have made different suggestions but both the unions have relied upon the observations in the Das Gupta Award and have argued that while fixing the inter-se seniority the principles laid down in that award i.e. in Reference No. 5 of 1957 should be followed. In this award the learned Tribunal for determining the seniority has given emphasis on the amount of basic pay for determining the comparative seniority. However, the present case is in respect of integration of the diesel engine crews and the steam engine crews subsequently trained on the diesel side. The diesel engine crew was in existence prior to 1960 before the diesel training scheme was introduced. The idea to create a separate 'C' cadre for the newly trained employees was proposed with a view that they should not be placed in detriment to the employees already in that cadre. But the management by taking newly purchased additional diesel vessels to the B cadre increased the number of posts in the B cadre and in my opinion it will not be proper to treat the basic pay as the only criterion for priority and comparative seniority.

83. I have already stated that in the B and C cadres which are diesel cadres there are four categories of employees and their pay scales and conditions of service are similar. The A cadre employees—the engine drivers who have acquired diesel qualifications in equivalent grades are also to be integrated with the employees of the B and C cadre and

it will be desirable to state the scales of pay of these cadres for the sake of comparison.

B AND C CADRES

Category	Scale of Pay
Motor engine driver 1st Grade.	Rs. 246-8-270-10-330-12-354
Motor engine driver 2nd Grade.	Rs. 214-8-270-10-280 plus Rs. 15/-p.m. for one driver in each shift. Mayur Vasishta.
Motor engine greaser	Rs. 115-3-136-4-140 EB-4-160
Motor engine cleaner	Rs. 110-2½-120-3-135-EB-3-147

CADRE A

Engine driver grade I (sarus)	Rs. 246-8-270-10-320
Engine driver grade II	Rs. 214-8-270-10-320 plus special pay of Rs. 25/-p.m.

This table will show that the scales of pay both on the steam side and on the diesel side are almost similar and consideration of the length of service in a particular grade will give an idea about the basic pay of the employee.

84. It is not in dispute that for the engine room crew of the diesel vessel the post of motor engine driver grade I is the highest post to which the employee can aspire and fixation of seniority in the grade is not of much relevance. However, the diesel training scheme was brought into force in the year 1960. I have already observed that the diesel cadre was in existence before that date. Many of the employees having longer service in that cadre must have been promoted and may be acting as engine drivers grade I and the proper date for fixing the seniority of engine drivers grade I should be the date of confirmation in that grade. There may be some engine drivers grade I in the steam side. A cadre having diesel qualification but in their cases the date of diesel competency certificate would be the criterion for fixing the seniority.

85. The B.P.T. General Workers' Union has claimed special protection in the case of the employee one Shri Abdul Hameed Shaikh Hoosein and has argued that he was one of the four steam engine drivers who were originally selected for training on the diesel side and he is yet to be absorbed and he should be appointed as engine driver grade I in the new vessel Dharma. The other union has opposed this suggestion. The evidence shows that Shri Abdul Hameed Sheikh Hoosein appears third in the statement 'A' exhibit E-1 produced by the management. He is holding the post of engine driver grade I steam. He has obtained first-class engine driver's certificate on 11-2-1960. The evidence further shows that he was sent for training and got the diesel endorsement on 18-12-1964 but he could not be appointed as motor engine driver grade I as there was no vacancy in the C cadre. It is also true that there are some employees who have obtained first-class diesel certificates subsequently and are working as first-class motor engine drivers grade I and it can be accepted that Shri Sheikh Hoosein has been a victim of circumstances. However, I do not think that any such special case for promotion should be made in respect of an employee for his appointment on a particular vessel in preference to others and if his case satisfies the above criterion and principles of the test that have been laid down in the formation of the seniority his case should be considered accordingly.

86. As regards the diesel and steam engine driver grade II the employees would naturally aspire for promotion to the higher grade and the question of fixing the seniority in respect of them is important. Moreover in this group of employees there are different types of them. Some of the employees have got early opportunities to be appointed as they by chance happened to be in the B cadre. There are some who though qualified could not be appointed for want of vacancies in the C cadre e.g. employees from cadre A who were holding the posts of engine driver grade II with diesel

qualifications. In respect of all these steam and diesel Engine Driver grade II who are actually occupying the posts, in my opinion the date of their appointment as steam or diesel engine driver grade II should be the criterion for fixing the seniority. There are some employees who are not actually occupying the post of engine driver grade II in A cadre but have obtained the second class steam driver's certificate and have further qualified themselves with diesel endorsement. Similarly there are greasers in both B and C cadres who have qualified themselves for the post of diesel engine drivers grade II and are holding the necessary certificates. All such employees shall be integrated according to the date of competency certificate i.e. 2nd class diesel certificate and their names will be below the engine drivers grade II who are actually occupying the posts as stated in above paragraph.

87. As regards uncertificated greasers in the B and C cadre they will be integrated according to the dates of their appointment as greasers and similarly the cleaners in the two cadres will also be integrated according to the dates of their appointment and considering all these circumstances and the evidence I direct that the inter-se seniority after amalgamation should be fixed as under:—

I

- | | |
|--|--|
| (i) Diesel motor engine drivers grade I cadre B | } Date of confirmation except in case of steam engine driver grade I Whose date will be the date of diesel qualifying certificate. |
| (ii) Diesel motor engine drivers grade I cadre C | |
| (iii) Steam engine drivers grade I cadre A holding 1st grade diesel endorsement. | |

2

- | | |
|---|---|
| (i) Diesel motor engine driver grade II cadre B | } Initial date of appointment as steam or diesel as engine drivers grade II |
| (ii) Diesel motor engine driver grade II cadre C | |
| (iii) Steam engine driver grade II with diesel qualification. | |

3

- | | |
|---|--|
| Greasers of B and C cadre and all employees of A cadre holding second class steam engine certificate with diesel qualification. | } Date of diesel competency certificate. |
|---|--|

4

- | | |
|--|------------------------------------|
| Uncertificated greasers in B and C cadres. | } Date of appointment as greasers. |
|--|------------------------------------|

5

- | | |
|----------------------------|------------------------|
| Cleaners in B and C cadres | } Date of appointment. |
|----------------------------|------------------------|

After the merger of the B and C cadres there will no more be the C cadre; but there will be many employees in cadre A. It is likely that some of them may qualify themselves on diesel side and in case of such employees from the A cadre who acquire second class diesel driver's certificate they shall become on the combined list of seniority of the employees of the diesel side and thereafter they shall be eligible for further promotion on the diesel side according to the dates of their acquiring the qualification of diesel driver's certificate vis-a-vis the greasers of the diesel side possessing similar certificate.

88. The B.P.T. General Workers' Union have urged that as the A and C cadre employees have been suffering since long the award should be given retrospective effect. I have already discussed the evidence and have accepted the contention that the A and C cadre employees have not been given their due in the promotional opportunities and many of them although qualified have been suffering as the management had allotted the newly purchased diesel vessels to the B cadre and there were no vacancies for them and there is

much substance in the contention raised by the B.P.T. General Workers Union.

89. However, Shri Shetye the General Secretary of the B.P.T. Employees Union has argued that every award under the Act becomes enforceable on the expiry of 30 days from the date of the publication. Seniority is to be fixed for promotion for future appointments and vacancies and this Tribunal has no jurisdiction to give any retrospective effect to the award that would be passed. I do not find any substance in the contention about the power of the Tribunal for giving retrospective effect to an award. It is true that under the Industrial Disputes Act an award becomes enforceable on the expiry of 30 days from the date of the publication under section 17A. However, the date of enforceability of an award and its operation are two different things. Retrospective effect means the date from which it should come into operation and the Tribunal has the necessary powers to direct that the award will come into operation from a particular date.

90. By the reference order this Tribunal has been asked to state what should the inter se seniority for the purposes of appointments and promotions to future vacancies in the integrated cadre. I have already stated that the integration is to be made of different cadres particularly there are employees who have been subsequently trained in the diesel side. The word "future" implies vacancies that would occur after the date of the operation of the award as directed and I do not think that the words "future vacancies" pertain only to vacancies that would occur after the award becomes enforceable. In my opinion the A and C cadre employees have suffered for no fault of their own nor is there any special reason entitling the B cadre employees to claim any special favour. However, I do not think that it will be proper to make the award operative from the date of the first ship purchased after the scheme. It has come in evidence that the last diesel ship commissioned by the management before the reference was in the year 1969 and I do not think it proper to disturb the earlier promotions and in all fairness the date of the reference order will be the appropriate date for the merger of the two cadres and the seniority framed under this award will be the seniority on that date. The redrawing of seniority by the management as directed by me herein will however not entitle any employee to make financial claims in respect of higher posts to which he was not actually appointed to discharge the duties of the post.

91. It was argued that the seniority should be fixed in such a way that no employee who has been promoted and is working in a clear vacancy should be required to be demoted. Ordinarily this view is acceptable and persons promoted to clear vacancies before the date of the reference order should not be disturbed. However, it has come in evidence that the management has commissioned two diesel vessels during the pendency of this reference and have made certain appointments. I do not think that the employees who have been appointed after the reference can legitimately claim any preference as against the directions in the award.

92. Shri Kale the President of the B.P.T. General Workers' Union has argued that the two vessels Dharma and Dhruva have been commissioned during the pendency of this reference and the management has made provisional appointments in the engine room crews of these vessels. The provisional appointments have been made with the consent of the unions and if the seniority is given retrospective effect the provisional appointments shall have to be disturbed. He has produced copies of the record of certain discussions at exhibit W-19. This exhibit pertains to a summary of the record of the discussions held and decisions taken at the meeting held on the 6th September 1972. In this document paras 8.1 to 8.5 mention the discussions which show that the B.P.T. Employees Union wanted Dharma to be crewed after allotting it to the B cadre. The other union had opposed this and in view of the pendency of the reference the parties had agreed to a provisional arrangement and para 8.5 reads:

"After some further discussion, it was agreed that the 'Dharma' should be provisionally included in the 'B' cadre and the appointments made should be reviewed after the award was known".

Similar arrangements have been agreed to at the time of the commissioning of the other vessel "Dhruva" and this evidence also corroborates the view that the award should be given effect to from the date of the reference.

93. Considering the wording of the reference order at one time it was felt that this Tribunal has been directed to actually frame the *inter se* seniority list between the three groups of employees as stated in the schedule to the order of reference. The words used in the reference order are "what should be the *inter se* seniority of the engine room crews . . ." This does not necessarily mean that the Tribunal should actually draw up the seniority list of all the employees. Drawing up the seniority list is necessarily the function of the management and when this was explained to the parties they have also agreed and in view of my finding the management will amalgamate the two cadres and draw up the *inter se* seniority list of the three groups of employees of the integrated cadre in accordance with the principle and directions in this award.

Hence my award accordingly.

No order as to costs.

A. T. ZAMBRE, Presiding Officer.

[No. L-31011/1/72-P&D]

New Delhi, the 27th December, 1973

S.O. 44.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Bombay, in the industrial dispute between the employers in relation to management of Private Motor Launch Services, Bombay and their workmen, which was received by the Central Government on the 17th December, 1973.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/8 of 1971

Employers in relation to the management of Private
Motor Launch Services, Bombay.

AND

Their workmen.

Present:

Shri N. K. Vani, Presiding Officer.

Appearances:

For the Employers: 1. Shri Shaikh Abdul Majid, Owner.
2. Shri B. S. Toscano, Owner.

For the workmen: Shri D. Y. Kelkar, General Secretary, Motor Launch Employees' Association, Bombay.

Industry: Ports and Docks

State: Maharashtra.

Bombay, dated the 28th November, 1973

AWARD PART I

By order No. L. 31011/4/71-P&D dated 28-10-1971 the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the managements of Private Motor Launch Services, Bombay mentioned in Schedule I and their workmen in respect of the matters mentioned in Schedule II as mentioned below:—

"SCHEDULE"

1. Messrs. Bombay Harbour Transport Company, Jeevan Jyot, 1st floor, Cawasji Patel St. Bombay-1.

2. Messrs B. S. Toscano Jeevan Jyot, 1st floor, Cawasjee Patel St., Bombay-1.
3. Messrs. Bharat Launch Service, Jeevan Jyot, 1st floor, Cawasjee Patel St., Bombay-1.
4. Messrs United Launch Service, Jeevan Jyot, 1st floor, Cawasjee Patel St., Bombay-1.
5. Messrs Vensto Launch Service, Jeevan Jyot, 1st floor Cawasjee Patel St., Bombay-1.
6. Messrs Bombay Launch Service Private Limited, Ballard Pier Steps, Mole Station, Alexandra Dock, Bombay-1.

SCHEDULE II

'Keeping in view the recommendations of the Central Wage Board for Port and Dock Workers, what should be the scales of pay and other service benefits for the employees of the Motor Launches of the employers mentioned in the Schedule-I above in the Bombay Port and Docks and from what date?'

2. On receipt of the reference notices were issued to the six employers and the Union.

3. In pursuance of these notices, employers mentioned at S. No. 1 to 3, 5 and 6 filed their respective written statements. The Union also filed its written statement.

4. At the outset it may be noted that it is common ground that the employer company mentioned at S. No. 4 in the Schedule I messrs United Launch Service is not in existence since 1972 and the parties pray vide Ex. 42/EW that no award be passed in respect of this employer company. In view of Ex. 42/EW there is no award in respect of employer mentioned at S. No. 4 in Schedule I i.e. Messrs United Launch Service as the same is not in existence.

5. Out of the remaining employers, employers mentioned at S. No. 1 to 3 and 5 in Scheduled I and the General Secretary, Motor Launch Employees Association representing the employees of the various employers have effected settlement Ex. 42/EW on 15-11-1973. On account of this I am not referring to the written statements, rejoinders additional statements etc. of these parties.

6. By application Ex. 41/EW filed alongwith settlement Ex. 42/EW the parties in question pray that Award Part I be passed in terms of the settlement.

7. Application Ex. 41/EW bears the signature of Shri A. S. Shaikh, on behalf of Messrs Bombay Harbour Transport Co. and Messrs Bharat Launch Service i.e. employers mentioned at S. No. 1 and 3 in Schedule I. Shri B. S. Toscano has signed this application on behalf of Messrs Bombay Harbour Transport Co., Messrs B. S. Toscano and Messrs Vensto Launch Service i.e. employers mentioned at S. No. 1, 2 and 5 in Schedule I. Shri D. Y. Kelkar, General Secretary, Motor Launch Employees Association has signed the application on behalf of the employees.

8. The statement Ex. 42/EW bears the signatures of these persons. In addition to this two employees have put their signatures as witnesses.

9. Shri D. Y. Kelkar, General Secretary, Motor Launch Employees Association has given evidence before me at Ex. 43/EW. He speaks about the settlement and the application referred to above and prays that Award Part I in terms of settlement be passed. He admits to have signed the settlement as well as the application.

10. Similarly, Shri Shaikh Abdul Majid Suleman, Owner of Messrs Bharat Launch Service and partner of Messrs Bombay Harbour Transport Co. examined at Ex. 44/E speaks about the settlement and the application. He admits to have signed the settlement and the application.

11. Shri B. S. Toscano, partner of Messrs Bombay Harbour Transport Co. and Messrs Vensto Launch Service and owner of Messrs B. S. Toscano examined before me at Ex. 45/E speaks about the settlement and the application. He admits to have signed the settlement and the applica-

tion. All of them pray that Award Part I in terms of settlement be made.

12. Shri V. R. Kubal is an engine driver in Messrs B. S. Toscano Co. for the last sixteen years. He admits to have attested the settlement as witness and accepts the same. Shri Ummer Suleman Sirgaokar is a Sarang in Messrs Bombay Harbour Transport Co. for the last eight years. He admits to have attested the settlement as a witness and accepts the same.

13. By settlement Ex. 42/EW the parties in question agrees that whenever there is a revision of scales of pay and other service conditions of the dock workers at Bombay, the same shall apply to Motor Launch employees. The employers also agree to pay Interim Relief at the rate of:—

- (i) Rs. 25/- per month to Khalasi, Lascar, Peon and other allied categories.
- (ii) Rs. 30/- per month to Oilman, Greaser, Seacunny and other allied categories.
- (iii) Rs. 50/- per month to Driver, Sarang, Clerk and other allied categories.

14. It is also clear from the settlement that the employers have agreed to grant 30 days privilege leave to every employee instead of 21 days as provided at present. It is also agreed that if the employees do not avail of any leave admissible and due to them, they shall be paid wages for leave due in cash at the rate of 1-1/2 times of wages for 12 hours shift, worked out for due the period and leave salary of the accumulated leave shall become payable at the end of calendar year. The parties further agree that the agreement will come into force with effect from 1-1-1972 and the arrears due to the employees shall be paid within three months from the date of signing of the settlement.

15. Considering the pleading of the parties and the terms of settlement referred to above, it is clear that the settlement is fair, just and equitable and that it is in the interest of both the parties. From the statements of the witness examined before me in connection with the settlement I find that this settlement is voluntary. I, therefore, accept the settlement.

16. In view of the above findings I pass the following orders:

ORDER

- (i) Award Part I in terms of Ex. 42/EW in respect of employers mentioned at S. No. 1 to 3 and 5 in Schedule I and their employees is made.
- (ii) There is no award in respect of Messrs United Launch Service mentioned at S. No. 4 in the Schedule I as it is not in existence.
- (iii) Settlement Ex. 42/EW is to form part of the Award.
- (iv) Reference be fixed for further hearing in respect of Messrs Bombay Launch Service Private Limited mentioned at S. No. 6 in Schedule I and its employees.
- (v) Further orders are reserved.

MEMORANDUM OF SETTLEMENT

Messrs.

1. Bombay Harbour Transport Co. Bombay.
2. B. S. Toscano Bombay.
3. Bharat Launch Service, Bombay.
4. United Launch Service (Not in existence since 1972).
5. Vensto Launch Service, Bombay.

(Employers represented by S/Shri, A. S. Shaikh & B. S. Toscano.)

Vs.

Motor Launch Employees' Association Bombay. Represented by Shri D. Y. Kelkar, General Secretary—Workmen.

118 G of I/73—8.

SHORT RECITAL

The parties mentioned above whereas agreed to discuss the matter pending before the Hon'ble Tribunal under CGIT/8 of 1971 in the matter of revision of scales of pay service benefits ETC to the Motor Launch employees reached the following settlement on the following terms after prolonged mutual discussions.

2. TERMS OF SETTLEMENT

- (1) It is agreed between the parties that whenever there is a revision of scales of pay and other service conditions of the dock workers at Bombay the same shall apply to Motor Launch employees, the parties to this dispute.
- (2) The employers agree to pay an interim relief to the employees at the following rates to different categories of workmen. This interim relief shall be treated as part of basic pay for all purposes.
Khalasi, Lascar, Peon & other allied categories Rs. 25/- per month. Oilman, Greaser, Seacunny & other allied categories Rs. 30/- p.m. Driver, Sarang, Clerk & other allied categories Rs. 50/- p.m.
- (3) The employers agree to grant 30 days privilege leave to every employee instead of 21 days as it is provided at present, that the increased leave is taken when the launch is laid up for survey. The employers further agree that should any employee not avail any leave admissible and due to him, he shall be paid wages for leave due in cash at the rate of one and half time of wages for 12 hours shift, worked out for the due period. The leave salary of the accumulated leave shall become payable at the end of calendar year.
- (4) The right of employers and the employees to place their point of view before any Wage Board or such other authority dealing with the question of scales of pay & other service conditions of the dock workers at Bombay is not affected by this agreement.
- (5) This agreement shall come into force with effect from 1-1-1972.
- (6) The arrears due to the employees shall be paid by the employers within three months from the date of signing of this agreement.
- (7) This agreement shall remain in force for two years.

III. The Co. viz., M/s. United Launch Service is not in existence since 1972. As such, it is prayed that no award may be passed in respect of the said company.

Signatures of Parties:

Sarvashri 1. A. S. Shaikh. 2. B. S. Toscano. 3. D. Y. Kelkar.

Witness:

1. Sd/- Illegible.

2. Sd/- Illegible.

N. K. VANI, Presiding Officer

[No. L. 31011/4/71-P.&D.]

V. SANKARALINGAM, Under Secy.

New Delhi, the 20th December, 1973

S.O. 45.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Ahmedabad in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on the 14th December, 1973.

BEFORE SHRI INDRAJIT G. THAKORE, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, AHMEDABAD

Reference (ITC) No. 5 of 1971

BETWEEN

The employers in relation to the State Bank of India, Ahmedabad.

AND

Their Workman

In the matter of dismissal of Shri B. N. Jha, watchman, Savli Branch, on 10-5-1971.

Appealances :

Shri M. I. Hawa, Advocate, instructed by Messrs. Bhaisanker Kanga & Girdharilal, Solicitors, for the Bank.

Shri N. J. Mehta, Advocate, with Shri V. C. Master, Advocate, for the workmen.

AWARD

This industrial dispute between the State Bank of India and their Workmen has been referred to me for adjudication as Industrial Tribunal under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, by the Central Government by their Order of the Government of India, Ministry of Labour and Rehabilitation, Department of Labour and Employment, No. L. 12011/15/71/LRIII, dated the 17th November, 1971. The dispute relates to a single demand which is mentioned in the schedule to the said order and is as follows:—

"Whether the action of the management of the State Bank of India, Ahmedabad in dismissing Shri B. N. Jha, Watchman of their Savli Branch on the 10th May, is justified. If not, to what relief is he entitled?"

It appears that Shri B. N. Jha was served with a charge-sheet, dated 23rd October, 1969, containing several charges; that an enquiry was held into the aforesaid charges by Shri I. K. Thanki who was appointed as the enquiry officer. The enquiry officer submitted his report and found him guilty of some of the charges. A show cause notice was, therefore, issued to the concerned workman by the staff superintendent to show cause against the proposed punishment. As in the opinion of the staff superintendent he failed to show sufficient cause against the award of the proposed punishment of dismissal, he was dismissed. An appeal against the dismissal order was submitted to the Deputy Secretary a Treasurer, State Bank of India, Ahmedabad, but the same was also turned down. The dismissal order was passed on 6th May, 1971. The dispute is referred to as by the Government of India by their Order, dated 17th November, 1971.

The Industrial Disputes Act, 1947, has been amended by Section 11A. However, the same came into effect from 15th December, 1971. Both the sides agreed that in view of the decision of the Supreme Court in this respect the said section would not apply to this proceeding which was already pending before me on the date the said section came into effect.

It appears that on 23rd October, 1969, Shri B. N. Jha, a watchman of the State Bank of India, Savli, was charge-sheeted for the following acts which constituted gross misconduct on his part :—

"(i) Disorderly or indecent behaviour on the premises of the Bank, and

(ii) wilful insubordination and disobedience of the lawful and reasonable order of your superior".

He was further charge sheeted for four other acts which amounted to minor misconduct on his part. The circumstances under which the acts constituted gross misconduct were detailed in para (3) thereof which are as follows :—

"(i) On the 15th November, 1968, you unauthorisedly asked and unduly insisted that Shri B. N. Bhatt, Messenger, should mark his arrival time. On his refusal to do so, you threatened to cause him physical injury.

On 16th November, 1968, you unauthorisedly obstructed prevented and intentionally harassed Shri B. M. Bhatt Messenger, by throwing away, the postage bag while he was discharging his duty of bringing dak from the Post Office. You ran after him with a wooden stick to beat him when he took the cycle for the said official purpose. Thus, you threatened to cause him physical injury.

On 22nd April 1969, at about 12 noon when you were called upon to admit your explanations for your unpunctual and irregular attendance as reported by your colleagues, you started speaking loudly in rude and insolent language in the Bank's premises in presence of the Bank's customers, thereby, disturbing the working of the office and members of the public were put to inconvenience for about one hour 12-00 noon to 1-00 P.M. by your rude and indecent behaviour which adversely affected the prestige of the Bank.

The following sentences which were uttered by you show that your behaviour is far from the required standard of decency of behaviour:—

- (a) All are Gujaratis here. I am harassed because I am Bihari.
- (b) Shri Jeshinghbhai is not served with a memo as he supplied Ghce to the Agent.
- (c) Shri Jadhav is not served with a memo as he is a Maharashtrian.
- (d) I am a poisonous serpent. Mind well. I will not go unless I take revenge.
- (e) I will go to the Bazar and disclose every thing.
- (f) It is my right to enjoy leave. None can stop me. I can enjoy leave anytime I like. It is my right and the Bank can do nothing to me. At the most it will not pay salary, what else it can do?
- (g) I do not care for the Bank's service. I will get more salary elsewhere.
- (h) You can issue thousands of memoranda. The Bank is unable to do anything.
- (i) I do not care if I die but I will destroy every thing by fire.
- (ii) On the 7th January 1969, you refused to accept a letter addressed to you by the Agent. This amounts to wilful insubordination. You also issued threats to the Agent in the presence of Shri Khiste, Messenger who had come to deliver to you a letter. You threatened that the Agent will have to leave Savli if he continues to issue memoranda to you. You refused to take the memorandum, requiring you to submit your explanations for the above lapse which is one more incident of your wilful insubordination while talking with the Agent when you were on duty at about 3.15 p.m. and whilst other members of the staff were busy with their work, you unauthorisedly asked the agent in a loud and insulting tone why the memorandum was issued to you adding that you are not going to accept the same even if it was sent by Registered Post. This shows your utter disregard of the authority of your superior and your failure to show due respect and courtesy towards your superiors".

The circumstances under which the acts constituted minor misconduct were detailed in para (4) but it is not necessary for me to reproduce the same here. He was, therefore, called upon to submit his explanation in writing in respect of the charges. He was also informed that if his explanation was not found satisfactory an inquiry would be held. As his explanation was not found satisfactory an elaborate inquiry was held a copy of which is on record. It is a very detailed inquiry running into about 35 pages. As a result of the said enquiry Shri I. K. Thanki found him guilty of the undernoted charges, viz.—

"Gross misconduct :

- (1) Disorderly and indecent behaviour on the premises of the Bank.
- (2) Wilful insubordination and disobedience of the lawful and reasonable orders of superior".

The relevant portions of the findings in respect of the enquiry conducted by Shri Thanki are as follows:—

"Shri Jha denied all the charges and as such the witnesses were examined and I arrive at following conclu-

sions therefrom in respect of charges mentioned in the charge-sheet served on him.

1. From the evidence by messenger Shri D. N. Bhatt, it is evident that the watchman Shri Jha had threatened him when he had come to the Bank for his duties on 15-11-1958.

2. As regards the utterances of Shri Jha at the Bank premises on 22-4-1969, it is proved from the evidence tendered by Shri S. S. Shah, Agent and Shri N. P. Mehta that Shri Jha had uttered the words mentioned in Exhibit I or words very similar thereto. It would also appear that the other witnesses who have signed the exhibit tried to evade specific confirmation of these utterances on various grounds. In view of the small premises of the Branch, it is very difficult to believe that they were not in a position to hear what Shri Jha said, possibly very loudly from the public Lobby near the counter. I am of the opinion that Shri Jha had uttered the words mentioned in the exhibit or words very similar to them. Perhaps, he must have uttered many more words and only a few of the utterances are mentioned in the exhibit.

3. Some members of the staff have admitted that there was no compulsion from the Agent in signing the statements. In view of this, it appears, either the members were negligent in signing the statements, or as is very likely to be the case, are trying to get out of the written statements made by them. Either way, this is a matter for Head Office enquiry and action.

4. It is also evident that Shri Jha refused to accept the memorandum on 7-1-1969 sent to him through the messenger Shri Khiste.....".

The Award on the Industrial Disputes between certain banking companies and corporations and their workmen presided over by Shri Justice Kantilal T. Desai, National Industrial Tribunal (Bank Disputes), applies to this bank. Under the said award at page 262 certain acts or omissions on the part of an employee are described as constituting gross misconduct and certain acts and omissions on the part of an employee constituting minor misconduct. An employee found guilty of gross misconduct alone can be dismissed. An employee found guilty of minor misconduct can only be warned or censured or have an adverse remark entered against him or have increments stopped for a period not longer than six months. In the present instance, as the worker concerned is dismissed, we are only concerned whether he has been guilty of gross misconduct and not of any of the minor misconducts. A look at the charge sheet shows that he has been charge sheeted for acts which constitute two separate gross misconducts. The second of such misconducts in wilful insubordination and disobedience of the lawful and reasonable orders of the superior. The circumstances which constituted the same are reproduced by me earlier and it is that on 7th January, 1969, he refused to accept a letter addressed to him by the agent. According to the charge sheet this amounts to wilful insubordination. Thereafter a large number of circumstances are mentioned, for instance, he issued threats to the agent in the presence of Shri Khiste, the messenger who had come to deliver the letter, etc. A number of other circumstances are also mentioned therein. We are not concerned so much with the evidence but with the findings of the enquiry officers. All that the enquiry officer has observed in this connection is that it is also evident that Shri Jha refused to accept the memorandum on 7-1-1969 sent to him through the messenger Shri Khiste. The only major misconduct of which the enquiry officer has considered him guilty is the refusal to accept the memorandum sent to him through the messenger Shri Khiste. Since there is no finding whatsoever given by the inquiry officer in respect of a number of other circumstances detailed in that paragraph he must be deemed either to have been exonerated thereof or, in any event, those circumstances cannot be taken into consideration.

It is difficult for me to hold that refusal to accept a letter addressed to a person by the agent amounts to wilful insubordination, whatever other misconduct it may constitute. The All India Industrial Tribunal (Bank Disputes), Bombay, presided over by Shri Sastry considered the terms and conditions of service of the employees and a variety of subjects therein like classification, age of retirement, maintenance of service books, etc. One of the questions considered by them was regarding issue of notices and orders and they dealt with it in para 519. The relevant part thereof is as follows:—

"..... Any notice, order, charge-sheet, communication or intimation which is meant for an individual emp-

loyee shall be in a language understood by the employee concerned. In the case of an absent employee notice shall be sent to him by registered post, with acknowledgment due".

This has been confirmed by the Desai Award at page 265, para 18.21, which is as follows :—

Issue of notices and orders.—Any notice, order, charge-sheet, communication or intimation which is meant for an individual employee, shall be in a language understood by the employee concerned. In the case of an absent employee notice shall be sent to him by registered post with acknowledgement due".

Since what is contemplated by the Sastry Award and the Desai Award in the case of an absent employee is only communication by registered post, it is extremely doubtful whether refusal to accept a communication by hand delivery would be considered an act of insubordination on his part. That a part—I fail to see how mere refusal to accept a communication could be considered an act of insubordination. The refusal to accept the memorandum on 7-1-1969 sent to him through the messenger Shri Khiste, in my opinion, could not be considered wilful insubordination and disobedience of the lawful and reasonable order of the superior and, therefore, not gross misconduct. This is the only ground on which, according to the inquiry officer, Shri Thanki, he has been found guilty of the second major misconduct.

I shall now deal with the first gross misconduct with which he has been charged. This is disorderly or indecent behaviour on the premises of the bank. The acts which constituted this gross misconduct took place on three different dates; (1) 15th November, 1968; (2) 16th November, 1968 and (3) 22nd April, 1969. The inquiry officer has dealt with the incident of 15th in para (1) of his findings and the incident of 22nd April, 1969, in para (2) and (3) of his findings. There is no reference in the findings at all to the incident of 16th November, 1958, although there was evidence in respect thereof. It must, therefore, be presumed that either he has been exonerated of this misconduct or, in any event, he has not been held guilty of the misconduct that took place on 16th November, 1968. The misconduct alleged on 15th November, 1968, is as follows:—

"On the 15th November 1968, you unauthorisedly asked and unduly insisted that Shri B. M. Bhatt, Messenger, should mark his arrival time. On his refusal to do so, you threatened to cause him physical injury".

In the first instance, this incident took place on 15th November, 1968. He has been charge-sheeted for the incident on 23rd October, 1969. The charge-sheet, therefore, it is apparent, has been given nearly a year after the incident or 11 months and 1 week thereafter, to be exact. The allegation is not one of physical injury or assault but only of threat. This is the evidence of Shri Bhatt at the inquiry about this misconduct.

"On 15-11-1968 Jha asked me to sign the handing and taking over Register, which I did not, as it was not my duty to do so. He also threatened to cause me physical injury. He also said that he would take us to the police station and complaint that I had come to break Bank's articles or steal them".

It is true that on the next day Shri Bhatt complained to the agent and the agent asked him to give it in writing, but he did not give it to him in writing till the 20th. The reason given by him in answer to question No. 12, viz., why he gave complaint on the 20th instant instead of on the date of occurrence, was that he did not desire to complain if the matter was peacefully settled. To a further question No. 16 as to why he gave the complaint on 20-11-1968 the answer was that the agent asked him to give the complaint in writing so that it would act as a deterrent for the future. The complaint was, therefore, only given by him after the agent asked him to do so. The incident to begin with, it appears, arose out of the insistence of Shri Jha, the watchman, that Shri Bhatt should sign the handing and taking over register. It seems he insisted because, according to the bank's clock, the time was 10.30 a.m., whereas his correct time for arrival was 10. In answer to question No. 21 Shri Bhatt admit that the

watchman asked him to sign because, according to him, he was late by half an hour. Shri Bhatt, however, signed as 10 A.M. as according to him that was the correct time. The charge sheet was given on 23rd October, 1969, and Shri Bhatt was examined at the inquiry on 20th January, 1970. From 15th November, 1968, till the time of his deposition Shri Bhatt has stated that since he gave the complaint in writing he had no trouble with Shri Jha. Although the incident took place on 15th November, 1968 and the written complaint received on 20th November, 1968, from Shri Bhatt at the instance of the agent, no memorandum whatsoever has been given to the watchman in regard to this incident till the charge sheet was given to him. From the evidence it appears that the report even was submitted to the head office some months later. It appears to me that the incident of 15th November was resorted to by the agent at the time of giving this charge-sheet just to strengthen the case of the management in respect of other misconduct and the charge given to him in respect of the alleged misconduct of 15th November, 1968, does not appear to be bona fide. In any event, I am of the view that it is not open to the management to charge sheet a worker in respect of a misconduct of this nature which had taken place on 15th November, 1968, on 23rd October, 1969, and to punish him for the same. It is surprising that neither the inquiry officer nor the staff superintendent have given a thought to this aspect.

The other incident that now remains to be considered is of 22nd April, 1969. The misconduct committed by him on 22nd consisted of speaking loudly in rude and insolent language in the bank's premises in presence of customers, thereby disturbing the working of the office and members of the public were put to inconvenience for about one hour 12-00 noon to 1-00 P.M. by his rude and indecent behaviour which adversely affected the prestige of the Bank. The charge sheet also mentions a number of sentences uttered by him in order to show that his behaviour was far from the required standard of decency of behaviour. It appears that the incident took place on 22nd April, 1969. The agent drafted a statement which has been signed by members of the staff of the Savli branch which purports to record what happened and the words he uttered. This has been signed by eight members of the staff. These include some office bearers of the union also and all of them have been examined at the inquiry. The uniform evidence of all of them has been that the statement as prepared by the agent and they had signed it. The majority of these witnesses, however, have deposed that they had signed it because the agent asked them to sign it. They had not read the statement and they had not heard his words, though they all admit that Jha had got excited and had spoken some loud words for some time. Two of these witnesses, however, admit that they had read the statement before signing and heard some of these words. Shri R. H. Shah, one of the witnesses has stated that he signed the statement because he was told that Jha was to be scolded and so he signed the statement. He has also said that if he had known that the statement was to be utilised in the manner it was done he would not have signed it. Shri J. H. Balehandani has also deposed that he did not hear what actually Shri Jha said but he signed the statement because the agent asked him to do so to teach a lesson to Shri Jha. He has also further stated that he was under the impression that the agent wanted him to sign the statement in order to stop Shri Jha from talking loudly. According to his evidence, the whole thing must not have taken more than 15 or 20 minutes. Shri B. M. Bhatt states that he signed the statement because others signed it without reading it. Shri A. M. Shah stated that he has signed it without reading it; that he had not heard anything; that he signed it because he was informed that this was to teach a lesson to Shri Jha. He has further stated that Shri Jha is in the habit of talking loudly. Shri N. P. Mehta, the branch head cashier, was also examined. He has signed the statement after reading it, and according to him the utterances quoted therein were uttered by Shri Jha. No customer, however, had complained to him. He did not know the effect of his shouting on the customers and according to him it affected the work of the bank for about 10 to 15 minutes. The agent, Shri S. N. Shah, has also been examined and his evidence practically amounts to what is written in Ex. 1. So far as this charge is concerned, the enquiry officer has accepted the evidence tendered by the agent Shri S. N. Shah and Shri N. P. Mehta that Shri Jha had uttered the words mentioned in Ex. 1 or words similar thereto. That there was no compulsion in signing the statement was deposed to practically by every witness and he has also accepted that version. He has disbelieved the other witnesses and has been of the view that

they were trying to evade specific confirmation. There is no doubt that there has been evidence at the enquiry that these words were uttered by Shri Jha and the incident had taken place. The conclusion in this respect arrived at by the inquiry officer cannot be considered either perverse or based on no evidence and I must, therefore, proceed on the basis that the misconduct as found by the inquiry officer had taken place.

Shri Mehta has submitted that what he has been guilty of is not the gross misconduct but minor misconduct. The acts and omissions which are included in minor misconduct include in (6)(c) "committing nuisance on the premises of the bank and (6)(j) "failing to show proper consideration courtesy or attention towards officers, customers or other employees of the bank; unseemly or unsatisfactory behaviour while on duty". The acts or omissions which constitute gross misconduct include (4)(c) "drunkenness or riotous or disorderly or indecent behaviour on the premises of the bank". Shri Mehta has submitted that what is alleged only amounts to committing nuisance on the premises of the bank or unseemly or unsatisfactory behaviour while on duty. It is true that the way he talked would amount to unseemly or unsatisfactory behaviour while on duty and also committing nuisance on the premises of the bank. At the same time, I am not prepared to hold that this could not necessarily amount to disorderly or indecent behaviour on the premises of the bank, particularly when the enquiry officer has come to that particular conclusion. The result of the above analysis is as follows:—

(1) Of the two major charges, in my opinion, his act did not amount to wilful insubordination and disobedience of the lawful and reasonable orders of his superior.

(2) Of the two sets of acts alleged to constitute disorderly or indecent behaviour on the premises of the bank it was not open to the management to charge sheet a worker in respect of a misconduct of the nature which had taken place on 15th November, 1968, on 23rd October, 1969, and to punish him for the same. The charge-sheet in respect of the incident of the 15th November was given just to strengthen the case of the management in respect of the other charges and was not bona fide.

(3) The charge of disorderly or indecent behaviour on the premises of the bank based on the incident of 22nd April, 1969, held established by the inquiry officer would still remain.

A very large number of authorities have been cited before me by Shri Jawa as also by Shri Mehta as to the power of this Tribunal in dealing with cases of discharge and dismissal before the enactment of Section 11A. A number of authorities have also been cited before me to show that ordinarily the Tribunal would not interfere with the punishment awarded by the company. It however appears to me that it is not necessary for me to deal with those authorities herein.

In Civil Appeals Nos. 1461 of 1972 between the workmen of M/s. Firestone Tyre & Rubber Co. of India (Pvt.) Ltd., and The Management and Others, and certain other appeals (reported in 1973, I, LLJ., p. 278) a large number of earlier decisions have been considered by the Supreme Court and at page 293 at para 29 the principles that emerged therefrom have been summarised. Some of those principles relevant for our purpose are as follows :—

"(1) The right to take disciplinary action and to decide upon the quantum of punishment are mainly managerial functions, but if a dispute is referred to a Tribunal, the latter has power to see if action of the employer is justified.

(2) Before imposing the punishment, an employer is expected to conduct a proper enquiry in accordance with the provisions of the standing orders, if applicable, and principles of natural justice. The enquiry should not be an empty formality.

(3) When a proper enquiry has been held by an employer, and the finding of misconduct is a plausible conclusion flowing from the evidence adduced at the said enquiry, the Tribunal has no jurisdiction to sit in judgment over the decision of the employer as an appellate body. The interference with the decision of the employer will be justified

only when the findings arrived at in the enquiry are perverse or the management is guilty of victimisation, unfair labour practices or mala fides.

(9) Once the misconduct is proved either in the enquiry conducted by an employer or by the evidence placed before a Tribunal for the first time, punishment imposed cannot be interfered with by the Tribunal except in cases where the punishment is so harsh as to suggest victimisation.

(10) In a particular case, after setting aside the order of dismissal, whether a workmen should be reinstated or paid compensation is, as held by this Court in *The Management of Panitole Tea Estate v. The Workmen*, (supra), within the judicial decision of a Labour Court or Tribunal. The above was the law as laid down by this Court as on 15-12-1971 applicable to all industrial adjudication arising out of orders of dismissal or discharge".

In the present instance, the enquiry is challenged on one or two grounds. One of the grounds is that the examination of the witnesses was conducted by the enquiry officer himself. It is urged that the agent ought to have conducted the examination of the witnesses but the role of the prosecuting authority which legitimately belonged to the agent was taken over by the enquiry officer. It is true that a number of questions have been put at the enquiry by the enquiry officer, but I do not think this has in any way vitiated the enquiry. The questions whatsoever have been put with a view to elicit information and not with a view to prove the charges. I do not think it is necessary to follow the normal procedure of courts in domestic enquiries and the function of the enquiry officer would involve putting questions to elicit all information, about the incident. I do not think that the enquiry is vitiated on this ground. This is the major ground on which the enquiry is attacked which I do not uphold. By and large the enquiry appears to be both exhaustive and fair and is not vitiated on any ground. That brings us to the principle enumerated in para (9), viz., once the misconduct is proved punishment imposed cannot be interfered with by the tribunal except in cases where the punishment is so harsh as to suggest victimisation. Shri Hawa has submitted that once this Tribunal is of the opinion that all or any of the major misconducts is proved this tribunal cannot interfere with the punishment. It is no doubt true that once the misconduct is proved the Tribunal cannot interfere with the punishment except in cases where the punishment is so harsh as to suggest victimisation. But so far as this matter is concerned I have taken the view, as summarised earlier, that the alleged act amounting to misconduct of wilful insubordination and disobedience of the lawful and reasonable orders of the superior does not amount to misconduct and, therefore, that part of the misconduct is not proved. Similarly, I have also taken the view that it was not open to the management to charge sheet a worker in respect of the misconduct of the nature which had taken place on 15th November, 1968, on 23rd October, 1969, and to punish him for the same and the action of giving the said charge sheet was not bona fide. The only misconduct which I have held to have been established is the misconduct alleged to have been committed on 22nd April, 1969, and the question that arises for consideration is whether I am entitled in these circumstances to interfere with the punishment or I am bound to confirm the same. Shri Hawa has submitted that even if one of the incidents alleged to constitute the misconduct was held established and if the management had the right to dismiss a worker for that under the award this Tribunal could not interfere with the punishment. This proposition has been challenged by Shri Mehta. In *Andhra Scientific Company Ltd., and Seshagiri Rao (A) and another* (reported in 1961, II, LLJ., p. 117 at p. 119), it was observed as follows :—

"On an examination of the evidence adduced before him the labour court held that the charges other than (1-a) and (8) had not been made out; that the charges (1-a) and (8) had only been partially made out and that the laches in respect of these charges were not so grave as to justify dismissal. He held therefore that the dismissal was unjustified but the workmen deserved some punishment. Considering a suspension from service for a period of one year from 16 March, 1957 the date of dismissal as proper and sufficient punishment, he ordered reinstatement at the rate of Rs. 250 from 16 March, 1958 till the date of reinstatement and subsistence allowance during the pendency of

the departmental enquiry at the rate of half of the pay from 28 April, 1956 till 16 March, 1957".

in a writ petition before the High Court of Andhra, one of the grounds was as follows :—

"the labour court after holding that some of the charges at least were made out acted wrongly in substituting for the punishment of dismissal one of punitive suspension and directing reinstatement".

The High Court held that there was nothing like "partially proved" and that the charges (1-a) and (8) should be deemed to have been not proved at all, and did not interfere with the orders of the labour court. The correctness of this conclusion was challenged before the Supreme Court. The Supreme Court was of the opinion that the High Court was not right in proceeding on the basis that these two charges "should be deemed to have been not proved at all". Proceeding, however, on the basis that these two charges had been proved they noticed that the acts alleged in those charges did not constitute misconduct under the "Industrial Employment Standing Orders Rule" which govern the workmen and observed :—

"There can be no doubt however that when the acts in respect of which the workmen is ultimately found guilty do not amount to misconduct at all under the standing orders of the employer the tribunal not only can but should consider the question what punishment should be inflicted on the altered finding of guilt.....".

This decision lays down that the Tribunal can interfere with the punishment, in any event, where the act does not constitute misconduct. The more relevant decision, however, in this respect is the decision in *Binny Ltd. and Their Workmen* (reported in 1972, I, LLJ., p. 478), where it was observed as follows :—

"It was argued on behalf of the appellant that once the Labour Court accepts the finding of the domestic Tribunal that the delinquent is guilty of the misconduct alleged against him the fact that the order of termination of service mentions a similar conduct in the past on which no charge had been raised should not make any difference to the result. Our attention was drawn to the decision of this Court in *Railway Board v. Niranjan Singh*, 1968-II L.L.J. 743; (1969) 3 S.C.R. 548, where the enquiry committee after investigating the charges had come to the conclusion that although the first charge was not proved beyond all reasonable doubt the respondent was guilty of the second charge. The disciplinary authority, the General Manager, accepted not only the findings on the second charge, but differing from the conclusion on the first charge tentatively took the view that the respondent was guilty of that charge as well and after the issue of a show cause notice and the rejection of his explanation directed that the respondent be removed from service. The High Court set aside the order of dismissal on a writ petition under Art. 226 taking the view that :

"Where an order such as an order of detention or removal from service is based on a number of grounds and one or more of these grounds disappear it becomes difficult to uphold the order when it is not clear to what extent it was based on the ground found to be bad."

It was urged that the Court should not have assumed that the General Manager would have inflicted the punishment of dismissal solely on the basis of the second charge and consequently the punishment should not be sustained if it was held that one of the two charges on the basis of which it was imposed was unsustainable. This was rejected following the decision in *State of Orissa v. Bidvabhan Mohapatra*, (1963-I L.L.J. 239); (1962) Supp. 1 S.C.R. 648, where it was said that if an order in any enquiry under Art. 311 can be supported on any finding as substantial misdemeanour for which punishment imposed can lawfully be given, it is not for the Court to consider whether that ground alone would have weighed with the authority in imposing the punishment in question. In our view that principle can have no application to the facts of this case. Although the enquiry officer found in fact that the respondent had behaved insolently towards the warehouse

master, he did not come to the conclusion that this act of indiscipline on a solitary occasion was sufficient to warrant an order of dismissal. He expressly recorded that the delinquent had been guilty of absenting himself without leave, that he had taken 25 days sick leave in a span of six months and that "much more than all this, he (the warehouse master) had let Kuppaswamy off only a month earlier for behaving insolently towards him purely because of request of the departmental workers' representative" and it is in these circumstances that the manager did not consider the delinquent to be a person fit to be retained in service. The language of the order leaves no doubt in our mind that it was the cumulative effect of the lapses on the part of the respondent that had resulted in the order of termination of service. It was not a case where two separate charges had been framed against the delinquent and they were of such a serious nature that the finding of guilty on any one would warrant the dismissal of the delinquent from service."

The question, therefore, that arises herein is whether the order passed was a cumulative effect of the various gross misconducts committed by him or whether he was guilty of misconduct of such a serious nature that finding him guilty on any one would warrant his dismissal. The charge sheet given to him on 23rd October, 1969, charges him with a number of acts which constituted gross misconduct as also a number of further acts which constituted a minor misconduct. A common enquiry against these gross as well as minor misconducts was held. The enquiry officer in his findings in para (8) considered Shri Jha guilty of the charges mentioned therein both of gross misconduct and minor misconduct. Thereupon the staff superintendent gave a show-cause notice to Shri Jha in these terms :—

"I have carefully gone through the Enquiry papers and also the findings of the Enquiry Officer and am satisfied that the charges made against you have been clearly established and I have come to the tentative conclusion that your guilt merits punishment of dismissal from the Bank's service. Before I take the final decision, I hereby call upon you to show cause why the proposed punishment should not be imposed on you.

You may submit your contentions, in writing, against the imposition of the proposed punishment through the Branch Agent within 7 days from the receipt of this memorandum. Please note that if I do not hear from you within the stipulated time, I shall consider that you have no cause to show against the proposed punishment.

To enable you to show cause against the proposed punishment, I enclose copies of the disciplinary proceedings and of the findings of the Enquiry Officer."

The order of the Staff Superintendent, inter alia, is as follows :—

"2. An enquiry into the charges was conducted on the 20th January, 1970 by Shri I. K. Thanki. I have perused the report of the Inquiry Officer and find that the charges levelled against Shri Jha are established. I called upon Shri Jha vide memorandum No. Staff/6015 of the 19th March, 1971 to show cause why the punishment of dismissal from the Bank's service should not be imposed on him. In his reply dated the 26th March, 1971, he failed to show sufficient cause against the award of the proposed punishment of dismissal from the Bank's service.

3. Shri Jha again wrote on the 15th April, 1971. I have considered both the said letters of Shri Jha. I am not satisfied with the causes shown by Shri Jha. I, therefore, dismiss Shri Jha from the Bank's service."

The letter of the Staff Superintendent addressed to Shri Jha, dated 6th May, 1971, also does not suggest that the management considered each one of the charges sufficient for his dismissal. It appears to me that the order of dismissal has been passed on account of the cumulative effect of the various misconducts alleged against him. The very fact that the charge sheet was given to him in respect of the incident of 15th November, 1968, and 16th November, 1968, after nearly one year, seems to suggest that the order of dis-

missal was the result of the cumulative effect of the various charges against him. The view I have taken is that of the three misconducts considered to have been established against him, one was not misconduct at all, another had been committed so early that it was not proper to charge sheet him in respect thereof after nearly a year and the only misconduct that was established was one in respect of the incident of 22nd April, 1969. In the circumstances, according to the decisions, I am of the view that this Tribunal would have jurisdiction to interfere with the punishment. This Tribunal, in my opinion, can, as observed by the Supreme Court, in the Andhra Scientific Company's case consider the question as to what punishment should be inflicted on the altered findings. Shri Hava has submitted that if for some reason this Tribunal is of the opinion that the enquiry held by the management was not proper an opportunity should be given to the bank to establish the charges. The Supreme Court in the case of M/s. Firestone Tyre & Rubber Co. of India's case, referred to earlier, enumerated at para 29 thereof the broad principles emerging from the earlier decisions some of which I have already reproduced earlier. The Principle (4) and (6) stated therein are as follows :—

"(4) Even if no enquiry has been held by an employer of if the enquiry held by him is found to be defective, the Tribunal in order to satisfy itself about the legality and validity of the order, has to give an opportunity to the employer and employee to adduce evidence before it. It is open to the employer to adduce evidence for the first time justifying his action; and it is open to the employee to adduce evidence contra.

(6) The Tribunal gets jurisdiction to consider the evidence placed before it for the first time in justification of the action taken only if no enquiry has been held or after the enquiry conducted by an employer is found to be defective."

These two principles make it abundantly clear that the question of adducing evidence before the Tribunal arises only if no enquiry has been held or if the enquiry held by him is found to be defective and the Tribunal gets jurisdiction to consider the evidence placed before it for the first time in justification of the action taken only when no enquiry has been held or when after the enquiry conducted by the employer is found to be defective. In the present case an enquiry has been held and I have already held that the enquiry is not defective. In the circumstances, I fail to see how it is possible for me to give the State Bank a fresh opportunity to establish the charges levelled against the worker.

That brings me to the question as to what would be adequate punishment. That question has to be decided by this Tribunal. The Privy Council has in *Jupiter General Insurance Co. versus Ardeshtir Shroff* (reported in 1937 A.I.R., p. 223 at p. 227) observed as follows :—

"On the one hand it can only be in exceptional circumstances that an employer is acting properly in summarily dismissing an employee on his committing a single act of negligence. On the other hand, Their Lordships would be very loathe to assent to the view that a single outbreak of bad temper accompanied it may be with regrettable language is a sufficient ground for dismissal. The learned Chief Justice was stating a proposition or mere good sense when he observed that in such cases one must apply the standards of own and not angels and remember that men are apt to show temper when reprimanded."

This view would be justified all the more in a matter before the Industrial Court or Industrial Tribunal particularly while dealing with persons of the category of Shri Jha who are only semi-literate. I have under the circumstances hardly any doubt that the punishment of dismissal is far too harsh for the incident of 22nd April 1969 alone appeal to the Deputy Secretary and Treasurer of the State Bank of India, he has stated, inter alia, as follows :—

"..... I sincerely apologise for that and I solemnly assure you that I shall never do anything in future which amounts to acts of indiscipline and insubordination....."

He has further pointed out in that letter, inter alia, as follows :—

"My other submission to your goodself is that I am the only earning member in the family. I have a wife and four school going children. I have no means of earning whatsoever and the capital punishment of dismissal has not proved to be a punishment to me alone but to my wife and four innocent children who are virtually thrown in the streets."

During the hearing of this matter both Shri Jha and the union secretary pleaded for leniency being shown to him. It was repeatedly pointed out by Shri Jha that he had not been able to secure any job; that he and his family were practically starving and he was living on doles given to him by the union. Often he had no money to come for the hearing from Baroda. As pointed out by him in his letter to the Deputy Secretary and Treasurer, he is a retired military man who had put in 18 years of service in the army and enjoyed the position of a Platoon Havildar. He has already remained unemployed till this date for a period of two and half years. The punishment he has suffered for whatever misconduct he committed appears to be more than, sufficient.

It is true that the question whether a worker should be reinstated or not, is a matter for this Tribunal to decide and this Tribunal may not reinstate the worker but pay him compensation. But the State Bank has hundreds of branches all over the country and even if the relations of Shri Jha with the agent of one branch are strained, the State Bank could assign his work in another branch. During the course of negotiations both the union and Shri Jha offered to go to any of the branches.

Taking all the factors into consideration, I direct that the order of dismissal be set aside and Shri Jha reinstated in service. He may be treated as on penal suspension from the time of his dismissal till 9th May, 1973, i.e., for a period of two years and paid compensation at the rate of 50 per cent of his total emoluments thereafter till the time of his reinstatement.

I further direct that he may be paid Rs. 400/- (Rupees Four hundred only) as and by way of costs.

Ahmedabad,

Dated : 6th December, 1973.

INDRAJIT G. THAKORE, Presiding Officer.

[No. L-12011/15/71/LR. III]

K. M. TRIPATHI, Under Secy.

नई दिल्ली, 20 दिसम्बर, 1973

का. आ. 46.—केंद्रीय सरकार, कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 5-क की उपधारा (1) के खण्ड (घ) के अनुसरण में, श्री एम. वी. अरुणाचलम के स्थान पर श्री आई. पी. पौडवार, कलकत्ता सिल्क मैन्युफैक्चरिंग कम्पनी लिमिटेड, कामर्स हाउस, 135-ए बिप्लबी राश-बिहारी बसु रोड, कलकत्ता-1 का केंद्रीय न्यासी बोर्ड के सदस्य के रूप में नियुक्त करती है और भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं. का. आ. 2412, तारीख 6 जुलाई, 1970 में निम्नीलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम संख्या 24 के सामने की प्रविष्टि के स्थान पर निम्नीलिखित प्रविष्टि रखी जाएगी :—

"श्री आई. पी. पौडवार, कलकत्ता सिल्क मैन्युफैक्चरिंग कम्पनी लिमिटेड, कामर्स हाउस, 135-ए बिप्लबी, राश-बिहारी बसु रोड कलकत्ता-1"

[सं. 12(5)/69-पी. एफ. 2]

New Delhi, the 20th December, 1973

S.O. 46.—In pursuance of clause (d) of sub-section (1) of section 5-A of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) the Central Government hereby appoints Shri I. P. Poddar, Calcutta Silk Manufacturing Company Limited, Commerce House, 135-A, Biplabi Rashbehari Basu Road, Calcutta-1 as a member of the Central Board of Trustees vice Shri M. V. Arunachalam and makes the following further amendment in the notification of the Government of India, in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2412, dated the 6th July, 1970, namely :—

In the said notification, for the entry against serial number 24, the following entry shall be substituted :—

"Shri I. P. Poddar, Calcutta Silk Manufacturing Company Limited, Commerce House, 135-A, Biplabi Rashbehari Basu Road, Calcutta-1."

[No. 12(5)/69-PF. II]

नई दिल्ली, 21 दिसम्बर, 1973

का. आ. 47.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, केंद्रीय सरकार निदेश देती है कि भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का. आ. 2763, तारीख 27 मई, 1971 में निम्नीलिखित संशोधन किए जाएंगे, अर्थात् :—

उक्त अधिसूचना में, "इस प्रयोजन के लिए केंद्रीय सरकार से मान्यता-प्राप्त नियोजकों के संगठनों के परामर्श से केंद्रीय सरकार द्वारा धारा 4 के खण्ड (च) के अधीन नाम निर्दिष्ट "शीर्षक के अन्तर्गत, मद्र 26 के सामने की प्रविष्टि के स्थान पर "श्री पी. चन्तसल राव, अपर सचिव-विशेष, आल इंडिया आर्गनाइजेशन आफ एम्प्लायर्स, "फेडरेशन हाउस", तानसेन मार्ग, नई दिल्ली-1" प्रविष्टि रखी जाएगी।

[फा. सं. यू-16012/17/73-एच आई]

New Delhi, the 21st December, 1973

S.O. 47.—In pursuance of section 4 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2763, dated the 27th May, 1971, namely :—

In the said notification, under the heading "Nominated by the Central Government under clause (f) of section 4, in consultation with organisation of employers recognised by the Central Government for the purpose", for the entry against item 26, the entry "Shri P. Chentsal Rao, Additional Secretary-General, All-India Organisation of Employers, 'Federation House, Tansen Marg, New Delhi-1" shall be substituted.

[F. No. U-16012/17/73-III]

नई दिल्ली, 24 दिसम्बर, 1973

का. आ. 48.—कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व श्रम और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का. आ. 2789 तारीख 5 जुलाई, 1971 का अधिष्ठांत करते हुए, केंद्रीय सरकार, श्री ए. बी. भट्टाचार्य का उक्त

अधिनियम और उसके अधीन विरीचत कर्मचारी भविष्य निधि स्कीम और कटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केंद्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के संबंध में जिसके एक से अधिक राज्य में विभाग या शाखाएँ हों या सम्पूर्ण पंजाब, हरियाणा और हिमाचल प्रदेश राज्य और चण्डीगढ़ संघ राज्य क्षेत्र के लिए निरीक्षक नियुक्त करती हैं।

[सं. ए-12016(20)/73-पी. एफ. 1]

New Delhi, the 24th December, 1973

S.O. 48.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), and in supersession of the notification of the Government in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 2769 dated the 5th July, 1971, the Central Government hereby appoints Shri A. B. Bhattacharya to be an Inspector for the whole of the States of Punjab, Haryana and Himachal Pradesh and Union Territory of Chandigarh for the purposes of the said Act, the Employees' Provident Fund Scheme and the Family Pension Fund Scheme framed thereunder, in relation any establishment belonging to, or under the control of, the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A. 12016(20)/73-PF. I]

का. आ. 49.—केंद्रीय सरकार, कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए सर्व श्री बी. एस. कुवालकर बी. के. गोगटे और एस. वी. लचवाणी, तथा कुमारी जे. आर. काजी को उक्त अधिनियम और उसके अधीन विरीचत किसी स्कीम और कटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केंद्रीय सरकार के या उसके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के सम्बन्ध में जिसकी एक से अधिक राज्य में विभाग या शाखाएँ हों सम्पूर्ण महाराष्ट्र राज्य के लिए निरीक्षक नियुक्त करती हैं।

[सं. ए. 12015(7)/71-पी. एफ. 1]

S.O. 49.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Sarvashri B. S. Kudalkar, B. K. Gogate, S. V. Lachwani and Kumari J. R. Kazi to be Inspectors for the whole of the State of Maharashtra for the purposes of the said Act, and the Scheme and the family pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A.-12015/7/71-PF. I]

नई दिल्ली, 28 दिसम्बर, 1973

का. आ. 50.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम. सी. इण्डस्ट्रीज, 248, ए-जेड, इण्डस्ट्रियल एस्टेट, फार्गुसन रोड, लोवर परेल, मुम्बई-13 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम,

1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के मार्च के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(44)/73-पी. एफ. 2]

New Delhi, the 26th December, 1973

S.O. 50.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs M. C. Industries, 248, A-Z, Industrial Estate Farguson Road, Lower Parel, Bombay-13 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1972.

[No. S. 35018(44)/73-PF. II]

का. आ. 51.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स एवरेडी टाइपसेटर्स, 22, मिंट बैक रोड, फोर्ट, मुम्बई-1 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के अक्टूबर के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(87)/73-पी. एफ. 2]

S.O. 51.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Eveready Typesetters, 22, Mint Back Road, Port, Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of October, 1972.

[No. S. 35018(87)/73-PF. II]

का. आ. 52.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजस्थान मोटर्स वर्क्स, 12/4735, रोशनारा रोड, दिल्ली-7 जिसमें 472/1, चिरस्ती चमन भगत सिंह रोड, दिल्ली-7 स्थित उसकी शाखा भी सम्मिलित है, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(154)/73-पी. एफ. 2(1)]

S.O. 52.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajasthan Motors works, XII/4735, Roshnara Road, Delhi-7 including its branch at 472/1, Chisti Chaman Bhagat Singh Road, Delhi-7 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1973.

[No. S. 35019(154)/73-PF. II(i)]

का. आ. 53.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स विजया क्लिनिक, काद्री, मंगलौर-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के जून के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[संख्या एस-35019(153)/73-पी. एफ. 2(1)]

S.O. 53.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vijaya Clinic, Kadri, Mangalore-3 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1973.

[No. S. 35019(153)/73-PF. II(i)]

का. आ. 54.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स जान रावर्ट्स, साडी डिपार्टमेंट, जोगवर भवन, 93-बी महर्षि कॉर्पोरेट रोड मुम्बई-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

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यह अधिसूचना 1972 के दिसम्बर के इक्कीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(78)/73-पी. एफ. 2]

S.O. 54.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs John Roberts, Sarce Department Jorawar Bhuwan 93-B Maharsai Karve, Road, Bombay-20 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of December, 1972.

[No. S. 35018(78)/73-PF. II]

का. आ. 55.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स एस्केस्टोस एण्ड ज्वायंटिंग मैन्युफैक्चरिंग कंपनी प्राइवेट लिमिटेड, पारसी पंचायत रोड, अन्धेरी (ईस्ट) मुम्बई-69 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के जून के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(24)/73-पी. एफ. 2]

S.O. 55.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Asbestos and Jointing Manufacturing Company Private Limited, Parsi Panchayat Road, Andheri (East) Bombay-69 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1972.

[No. S. 35018(24)/73-PF. II]

का. आ. 56.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स टाटन मोल्डर्स एण्ड इंजीनियर्स, संख्या 3, मॉर्गोय लेन, फर्स्ट फ्लोर कलकत्ता-1 जिसके अन्तर्गत इथापर रोड, डाकघर संत्रागची, हावड़ा स्थित उसका कारखाना भी आता है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के अगस्त के इक्कीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35017(38)/73-पी. एफ. 2]

S.O. 56.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Eastern Moulders and Engineers, No. 3, Mangoe Lane, 1st Floor, Calcutta-1 including its factory at Ichapore Road, P. O. Santragachi, Howrah have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of August, 1972.

[No. S. 35017(38)/73-PF. II]

का. आ. 57.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स भाषा भारती, 22, मिंट बैक रोड, फोर्ट, मुम्बई-1 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1972 के अक्टूबर के इक्कीसवें दिन को प्रदत्त हुई समझी जाएगी ।

[सं. एस-35018(86)/73-पी. एफ. 2]

S.O. 57.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bhasha Bharati, 22, Mint Back Road, Fort, Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of October, 1972.

[No. S. 35018(86)/73-PF. II]

का. आ. 58.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स दिनेश वूड वर्क्स, कान्ति शा मिल कम्पाउण्ड, क्वे स्ट्रीट, दारुखाना, मुम्बई-10 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1972 के दिसम्बर के इक्कीसवें दिन को प्रदत्त हुई समझी जाएगी ।

[सं. एस-35018(95)/73-पी. एफ. 2]

S.O. 58.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Dinesh Wood works, Kanti Show Mill Compound, Quey Street,

Darukhan, Bombay-10 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of December, 1972.

[No. S. 35018(95)/73-PF. II]

का. आ. 59.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स रुक्नी टी कम्पनी लिमिटेड, 35, चित्तरंजन एवेन्यू, कलकत्ता-12 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1971 के जून के तीसवें दिन को प्रदत्त हुई समझी जाएगी ।

[सं. एस-35017(52)/73-पी. एफ. 2]

S.O. 59.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rukni Tea Company Limited, 35, Chittaranjan Avenue, Calcutta-12 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1971.

[No. S. 35017(52)/73-PF. II]

का. आ. 60.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स नेशनल इंजीनियरिंग इण्डस्ट्रीज, 32 जयराज भाप लेन, फोर्स रोड, मुम्बई-8 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1972 के दिसम्बर के प्रथम दिन को प्रदत्त हुई समझी जाएगी ।

[सं. एस-35018(68)/73-पी. एफ. 2]

S.O. 60.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs National Engineering Industries, 32 Jyrajbhoy Lane, Foras Road, Bombay-8 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1972.

[No. S. 35018(68)/73-PF. II]

का. आ. 61.—केंद्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जांच करने के पश्चात् 30 जून, 1973 से मैसेर्स विजया क्लिनिक, काद्री, मंगलूर-3 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनियुक्त करती है।

[सं. एस-35019(153)/73-पी. एफ. 2(2)]

S.O. 61.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 30th June, 1973 the establishment known as Messrs Vijaya Clinic, Kadri Mangalore-3 for the purposes of the said proviso.

[No. S. 35019(153)/73-PF. II(ii)]

का. आ. 62.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसेर्स राधाकान्त ट्रेडिंग कार्पोरेशन, 225, महात्मा गांधी रोड, कलकत्ता-7 नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के अप्रैल के तेहरवें दिन को प्रवृत्त हुई समझी जाएगी।

[संख्या एस. 35017(27)/73-पी. एफ. 2]

S.O. 62.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Radhakanta Trading Corporation, 225 Mahatma Gandhi Road, Calcutta-7 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirteenth day of April, 1972.

[No. S. 35017(27)/73-PF. II]

का. आ. 63.—यतः केंद्रीय सरकार का समाधान हो गया है कि मैसेर्स मास रोलिंग प्रेस, मास मीलिंग यूनिट, बुल्गेरियन पीबिलियन, मथुरा रोड, नई दिल्ली के कर्मचारियों को, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्धित प्रसूविधाएं जैसी सारतः प्रसूविधाएं प्राप्त हैं।

अतः, अब, उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का. आ. 75 तारीख 6 दिसम्बर, 1971 के क्रम में केंद्रीय सरकार, कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात्, उक्त कर्म-

शाला को उक्त अधिनियम के प्रवर्तन से 6 दिसम्बर, 1972 से 5 दिसम्बर, 1973 तक जिसमें यह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिए छूट देती है।

[का. सं. एस-38017(7)/73-एच आई]

S.O. 63.—Whereas the Central Government is satisfied that the employees of the Messrs. Mass Mailing Press, Mass Mailing Unit, Bulgarian Pavilion, Mathura Road, New Delhi are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 75, dated the 6th December, 1971 the Central Government, after consultation with the Employees' State Insurance Corporation, hereby exempts the above mentioned factory from the operation of the said Act for a further period of one year with effect from the 6th December, 1972 upto and inclusive of the 5th December, 1973.

[F. No. S. 38017(7)/73-HI]

का. आ. 64.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का. आ. 316-तारीख 23 जनवरी, 1973 के क्रम में, केंद्रीय सरकार भारत हेवी प्लेट्स एण्ड केसल्स लिमिटेड, विशाखापटनम, आन्ध्र प्रदेश को उक्त अधिनियम के प्रवर्तन से 22 जनवरी, 1974 से 21 जनवरी, 1975 तक, यह दिन भी सम्मिलित है करके, एक और वर्ष की अवधि के लिए छूट देती है।

[सं. एस-38017(6)/73-एच. आई]

S.O. 64.—In exercise of the Powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 316, dated the 23rd January, 1973 the Central Government hereby exempts the Bharat Heavy Plates and Vessels Limited, Visakhapatnam, Andhra Pradesh, from the operation of the said Act for a further period of one year with effect from the 22nd January, 1974 upto and inclusive of the 21st January, 1975.

[No. S. 38017(6)/73-HI]

का. आ. 65.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसेर्स नेशनल वूड प्रोडक्ट्स, 19/9, हरिश नियांगी रोड, कलकत्ता-4 नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के मार्च के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35017(33)/73-पी. एफ. 2]

S.O. 65.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs National Wood Products, 19/9, Harish Neogy Road, Calcutta-4 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of

1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1972.

[No. S. 35017(33)/73-PF. II]

का. आ. 66.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बार्ने एण्ड शेफर्ड, 141, एस. एन. बनर्जी, रोड, कलकत्ता-13 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[संख्या एस-35017(39)/73-पी. एफ. 2]

S.O. 66.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bourne and Shepherd, 141, S. N. Banerjee Road, Calcutta-13 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1972.

[No. S. 35017(39)/73-PF. II]

का. आ. 67.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 अप्रैल 1973 से मैसर्स राजस्थान मोटर्स वर्क्स 12/4735, रोशनारा रोड, दिल्ली-7 जिसमें 472/1, चिस्ती चमन भगत सिंह रोड, दिल्ली-7 स्थित उसकी शाखा भी सम्मिलित है, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[संख्या एस-35019(154)/73-पी. एफ. 2 (2)]

S.O. 67.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st April, 1973, the establishment known as Messrs Rajasthan Motors Works, XII/4735, Roshnara Road, Delhi-7 including its branch at 472/1, Chisti Chaman Bhagat Singh Road, Delhi-7 for the purposes of the said proviso.

[No. S. 35019(154)/73-PF. II(ii)]

का. आ. 68.—कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् मैसर्स

इण्डियन स्पलाइसिंग (मेकैनिकल) एण्ड एक्सेसरीज लिमिटेड, 14, प्रिंसप स्ट्रीट, कलकत्ता-13 जिसके अन्तर्गत डी-4, एन. डी. एस. ई. पार्ट 2, नई दिल्ली-14 स्थित इसकी शाखा भी है नामक स्थापन को 30 नवम्बर, 1973 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[संख्या एस-35017(8)/73-पी. एफ. 2(2)]

S.O. 68.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 30th day of November, 1973 the establishment known as Messrs Indian Splicing (Mechanical) and Accessories Limited, 14, Princep Street, Calcutta-13, including its branch at D-4, N.D.S.E. Part II, New Delhi-49 for the purposes of the said proviso.

[No. S. 35017(8)/73-PF. II(ii)]

का. आ. 69.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इण्डियन स्पलाइसिंग (मेकैनिकल) एण्ड एक्सेसरीज लिमिटेड, 14, प्रिंसप स्ट्रीट, कलकत्ता-13, जिसके अन्तर्गत डी-4, एन. डी. एस. ई. पार्ट 2 नई दिल्ली-49 स्थित इसकी शाखा भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के नवम्बर के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[संख्या एस-35017(8)/73-पी. एफ. 2(1)]

S.O. 69.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Indian Splicing (Mechanical) and Accessories Limited, 14, Princep Street, Calcutta-13, including its Branches at D-4, N.D.S.E. Part II, New Delhi-49 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1973.

[No. S. 35017(8)/73-PF. II(i)]

का. आ. 70.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स स्टील मैटर्स, 102, राजा बसंत राय रोड, कलकत्ता-29, जिसके अंतर्गत 103/4, बी. एल. साहा रोड कलकत्ता-53 स्थित उसका कारखाना भी है नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1970 की जलाई के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35017(35)/73-पी. एफ. 2]
दलजीत सिंह, अवर सचिव

S.O. 70.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Steel Metters, 102, Raja Basant Roy Road, Calcutta-29 including its factory at 103/4, B. L. Saha Road, Calcutta-53 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of July, 1970.

[No. S. 35017(35)/73-PF. II]
DALJIT SINGH, Under Secy.

(श्रम और रोजगार विभाग)

मुख्य श्रम आयुक्त (केंद्रीय) का कार्यालय

प्रादेश

नई दिल्ली, 19 दिसम्बर 1973

का० प्रा० 71—यतः—मैसर्स श्री भनकेटसरा स्टोन कम्पनी (नियोजक) ने नीचे की अनुसूची में वर्णित अपने स्थापनों के संबंध में 31-12-1972 को समाप्त होने वाले लेखा वर्ष के लिए अपने कर्मचारियों को बोनस के संदाय की कालावधि को बढ़ाने के लिए बोनस संदाय अधिनियम, 1965 की धारा 19(ख) के अधीन आवेदन दिया है।

और यतः यह समाधान हो जाने पर कि समय बढ़ाने के लिए पर्याप्त कारण है, मैंने भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना सं० डब्ल्यू बी-20(42)/65 तारीख 28 अगस्त, 1965 के साथ पठित उक्त अधिनियम की धारा 19 के खण्ड (ख) के परन्तुक द्वारा मुझे प्रदत्त शक्तियों का प्रयोग करते हुए 11-12-1973 को उक्त नियोजक द्वारा उक्त बोनस के संदाय की कालावधि की अधिनियम की धारा 19 के खण्ड (ख) के अधीन बोनस के संदाय की अंतिम तारीख से 3 महीने (अर्थात् 30-11-1973 तक) बढ़ाने का आदेश दे दिया है।

अब इसे उक्त स्थापन के नियोजक और सभी कर्मचारियों की सूचना के लिए प्रकाशित किया जाता है।

अनुसूची

नियोजक/नियोजकों का नाम और पता	स्थापन
श्री भनकेटसरा स्टोन कम्पनी	श्री भनकेटसरा स्टोन कम्पनी
कस्तुरपाली, पोस्ट रावलपाली,	
कोडानगल, महबूबनगर	

[बी०ए० 16(26)/73-एल. एस-1]

(Department of Labour & Employment)

Office of the Chief Labour Commissioner (Central)

ORDER

New Delhi, the 19 December, 1973

S.O. 71—Whereas an application has been made under Section 19(b) of the Payment of Bonus Act, 1965 by Messrs Sri Venkateshwara Stone Company (employer) in relation to their establishments mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 31.12.1972.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour and Employment No. WB.20(42)/65 dated the 28th

August, 1965, passed order on 11.12.1973 extending the period for payment of the said bonus by the said employer by 3 months (i.e. up to 30.11.1973) from the last date for payment of bonus under clause (b) of Section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

Schedule

Name and address of the employer (s)	Establishment (s)
Sri Venkateshwara Stone Co.,	Sri Venkateshwara Stone Co.
Kasturpalli, Post, Rawalpalli,	
Tq. Kodangal, Distt. Mahabubnagar.	

[No. BA. 16 (26)/73-L.S.I]

आदेश

का० प्रा० 72—यतः—मैसर्स दमोदर मंगल जी एंड क० प्राइवेट लिमिटेड (नियोजक) ने नीचे की अनुसूची में वर्णित अपने स्थापनों के संबंध में 31-3-1973 को समाप्त होने वाले लेखा वर्ष के लिए अपने कर्मचारियों को बोनस के संदाय की कालावधि को बढ़ाने के लिए बोनस संदाय अधिनियम, 1965 की धारा 19(ख) के अधीन आवेदन दिया है।

और यतः यह समाधान हो जाने पर कि समय बढ़ाने के लिए पर्याप्त कारण है, मैंने भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना सं० डब्ल्यू बी-20(42)/65 तारीख 28 अगस्त, 1965 के साथ पठित उक्त अधिनियम की धारा 19 के खण्ड (ख) के परन्तुक द्वारा मुझे प्रदत्त शक्तियों का प्रयोग करते हुए 11-12-73 को उक्त नियोजक द्वारा उक्त बोनस के संदाय की कालावधि की अधिनियम की धारा 19 के खण्ड (ख) के अधीन बोनस के संदाय की अंतिम तारीख से एक महीने (अर्थात् 31-12-73 तक) बढ़ाने का आदेश दे दिया है।

अब इसे उक्त स्थापन के नियोजक और सभी कर्मचारियों की सूचना के लिए प्रकाशित किया जाता है।

अनुसूची

नियोजक/नियोजकों का नाम और पता	स्थापन
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मै दमोदर मंगल जी एंड क० प्राइ-
वेट लिमिटेड अफोन्जोडी-अल-
बूस्पुरक रोड, पंजम, गोवा। [सं० बी०ए० 16(31)/73-एल० एस०-1]

आर० जे० टी० डी० मेलेलो,
मुख्य श्रम आयुक्त (केंद्रीय)

ORDER

S.O. 72—Whereas an application has been made under Section 19(b) of the Payment of Bonus Act, 1965 by Messrs Damodar Mangalji & Company (Pvt.) Ltd. (employer) in relation to their establishment mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 31.3.1973.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour and Employment No. WB.20(42)/65 dated the 28th August, 1965, passed order on 11.12.1973 extending period for payment of the said bonus by the said employer by 1 month (i.e. up to 31.12.1973) from the last date for payment of bonus under clause (b) of Section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

Schedule

Name and address of the employer (s)	Establishment(s)
M/s. Damodar Mangalji & Co. (Pvt.) Ltd.,	
Afonse de Albuquerque Road,	
Panjim-Goa.	

[No. BA-16(31)/73-L.S.I]

R. J. T. D' Mello,

Chief Labour Commissioner (Central)

